

ICTY

ICTR

SCSL

ECCC

STL

ICC

# INTERNATIONAL CRIMINAL TRIBUNALS

A VISUAL OVERVIEW

1993

1994

2002

2005

2007

2002



**Leitner Center**  
for International Law and Justice  
AT FORDHAM LAW SCHOOL, NEW YORK CITY

# INTERNATIONAL CRIMINAL TRIBUNALS

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A VISUAL OVERVIEW

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This report is a project of the Leitner Center for International Law and Justice at Fordham Law School. The views expressed herein remain those of the author and are not reflective of the official position of Fordham Law School or Fordham University.

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INTRODUCTION

WHY THIS PUBLICATION?

There is wide awareness, though little true understanding, of the work of the international criminal tribunals.

International prosecutions of high-ranking civilian and military leaders, including former heads of state, on charges of crimes against humanity, war crimes and genocide, represent for many the ultimate condemnation of these individuals' past actions and a measure of their fall from power. Yet, despite the tribunals' grasp on the popular imagination, they are the subject of significant misconceptions and confusion. Much of the media coverage dedicated to their work remains superficial, at best, and largely muddles over key distinctions between various tribunals, past and present. Conversely, the more informed scholarship is largely confined to specialty publications that remain inaccessible to most. In truth, many lawyers and non-lawyers alike lack a clear understanding of the role and functioning of these increasingly-pivotal international institutions.

This publication seeks to redress this knowledge gap by providing well-researched and accessible information for those wishing to more fully understand the international criminal tribunals and the conflicts over which they have jurisdiction. An informed public is an engaged public - and the issues that animate these tribunals, including delivering justice for victims of some of the world's worst atrocities, are too significant to be discussed solely by a small cadre of international criminal law specialists.

Notably, this publication was created in partnership with graphic and information designers so as to reach a broader public. The designers' visualizations present information regarding the tribunals and their underlying conflicts in a direct and accessible manner to a wide range of viewers, including those without a legal background. Beyond this democratizing function, information visualization also serves to reveal important data and trends that might otherwise go unnoticed in a more conventional format. Ideally, the following information, which is current as of January 2013, would be integrated into a continually updated interactive webportal dedicated to engaging a global public on issues of international justice.

In sum, this publication aims to facilitate a broader discussion of the international criminal tribunals' notable accomplishments, as well as ongoing shortcomings.



**THE HAGUE, NETHERLANDS**

**ICTY** International Criminal Tribunal for the former Yugoslavia  
EST. 1993

**STL** Special Tribunal for Lebanon  
EST. 2007

**ICC** International Criminal Court  
EST. 2002

**FREETOWN, SIERRA LEONE**

**SCSL** Special Court for Sierra Leone  
EST. 2002

**ARUSHA, TANZANIA**

**ICTR** International Criminal Tribunal for Rwanda  
EST. 1994

**PHNOM PENH, CAMBODIA**

**ECCC** Extraordinary Chambers in the Courts of Cambodia  
EST. 2005

# INTERNATIONAL CRIMINAL TRIBUNALS AND THEIR UNDERLYING CONFLICTS



INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA

“He finished raping me ... and said that he could perhaps, do more ... but [I] was about the same age as his daughter.”

*Testimony of Witness 50 in the Kunarac et al trial.*

ESTIMATED  
DISPLACEMENTS

KOSOVO  
**1,453,000**  
DISPLACEMENTS

BOSNIA & HERZEGOVINA  
**2,000,000**  
DISPLACEMENTS

CROATIA  
**550,000**  
DISPLACEMENTS



(DEATHS IN PROPORTION TO DISPLACEMENTS)



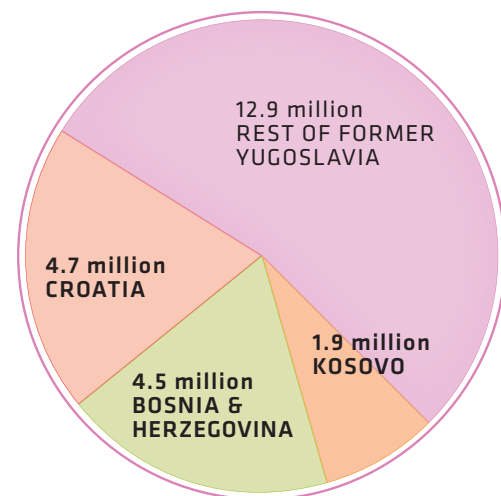
# INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

## OVERVIEW OF UNDERLYING CONFLICT

In 1993, after a UN investigation of crimes being committed in the then-ongoing armed conflict in the former Yugoslavia, the UN Security Council created the ICTY under Chapter VII of the UN Charter.

The armed conflict concerned the six republics that made up the former Yugoslavia (Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia [including the regions of Vojvodina and Kosovo] and Slovenia). In June of 1991, the republics of Slovenia and Croatia declared their independence from the Socialist Federal Republic of Yugoslavia (FRY) and its military (JNA). This decision was immediately challenged militarily by Serbia, which wished to retain the republics in the Serb-dominated FRY. While Slovenia secured its independence after just a few weeks of fighting, the conflict in Croatia dragged on until 1995.

The armed conflict in Bosnia and Herzegovina was also precipitated by its declaration of independence from the FRY, which further fragmented the republic among Muslim, Croat and Serb ethnic lines. All three sides fought each other, with the forces of each ethnic group made up of government troops, along with local and paramilitary forces. While Serb atrocities against Bosnian Muslims were committed on a broader scale, all parties to the conflict used various ethnic cleansing techniques intended to homogenize regions under their control. This conflict, the bloodiest by far of those that

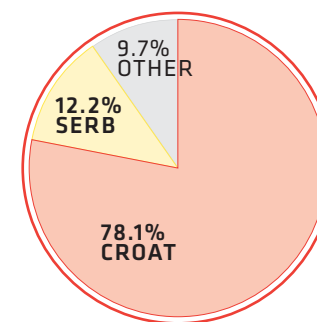


**FORMER YUGOSLAVIA**  
Total Population in 1991:  
**24 MILLION**

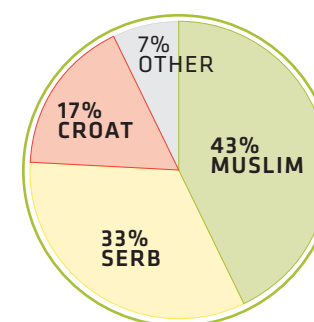
gripped the region during the period, formally came to an end following the December 1995 signing of the Dayton Peace Accord.

In February of 1998, intermittent conflict between Serb forces and the ethnic Albanian community in Kosovo escalated into the last of the wars in the FRY. Breaches of international humanitarian law included forced deportations, attacks on fleeing civilians and indiscriminate shelling of towns and villages by Serb forces. NATO carried out a 78-day-long campaign of air strikes against targets in Kosovo and Serbia. In response, Serb forces further intensified the persecution of the Kosovo Albanian civilians. Ultimately, Serbian President Slobodan Milošević agreed to withdraw his troops from the province. Some 750,000 Albanian refugees came home and about 100,000 Serbs – roughly half the province's Serb

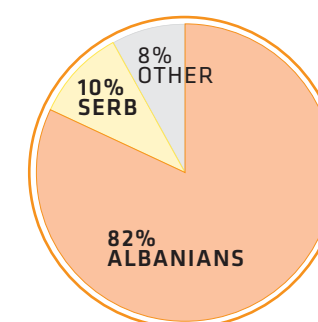
population – fled in fear of reprisals. In June 1999, Serbia agreed to international administration of Kosovo with the final status of the province still unresolved.



**CROATIA**  
Total Population:  
**4.7 MILLION**



**BOSNIA AND HERZEGOVINA**  
Total Population:  
**4.5 MILLION**



**KOSOVO**  
Total Population:  
**1.9 MILLION**

*All estimates to the left as of 1991*

## CROATIA

JUNE - JULY 1991

Slovenia & Croatia declare independence from the FR Yugoslavia. The conflict in Slovenia is brief, but in Croatia it continues to escalate.

DECEMBER 1991

Croatian Serbs declare a third of Croatia's territory an independent Serb state. Non-Serbs are forcibly expelled.

FEBRUARY 1992

Sporadic fighting continues on the ground despite the establishment of a UN Protection Force.

JANUARY 1992

A UN-sponsored ceasefire is agreed to.

EARLY 1993

Fighting escalates again as offensives from Croat forces resume against Serb positions.

SUMMER 1995

Croat forces launch two major offensives to regain all but a pocket of territory causing a major exodus of Serbs into Bosnia and Serbia.

FALL 1995

The war in Croatia effectively ends.

## BOSNIA &amp; HERZEGOVINA

MARCH 1992

Bosnia declares independence from the FR Yugoslavia following a referendum supported by Croats and Muslims, but boycotted by Serbs.

SUMMER 1992

Large-scale attacks by Serb forces continue in Bosnia, including around Sarajevo, which will remain under siege until February 1996.

MAY 1992

JNA withdraws from Bosnia but leaves behind Serb forces and arms.

SUMMER 1993

Ethnic cleansing continues across Bosnia.

FEBRUARY 1994

Serb forces shell the crowded Markale market in Sarajevo.

DECEMBER 1995

Dayton Peace Accord is signed in Paris.

NOVEMBER 1995

Peace talks are held in Dayton, Ohio.

JULY 1995

In a designated UN "Safe Area", Bosnian Serbs led by Ratko Mladic massacre over 7,000 men and boys in Srebrenica - the largest war crime to take place in Europe since WWII.

APRIL 1992

Post-referendum violence breaks out into war after the US and EU formally recognize Bosnia. Bosnian Serbs proclaim 70% of Bosnia's territory to be a Serb republic.

APRIL 1992

The conflict turns into a bloody three-sided fight for territories. Bosnian Serbs, Croats and Muslims all establish detention camps, though a majority are Serb-run.

## KOSOVO

OCTOBER 1997

Serb police assault a peaceful protest of 20,000 in Pristina and start to detain Kosovar Albanian opponents.

JANUARY - APRIL 1998

Serb paramilitary groups enter Kosovo. Armed skirmishes between Serb and Kosovar Albanians increase dramatically.

APRIL 1998

Amnesty International reports that extra-judicial executions, excessive force, and disappearances perpetrated by Serb forces are frequent and evince an established pattern.

JULY - AUGUST 1998

Serb incursions into Albanian territory are commonplace as indiscriminate Serb shelling and attacks on fleeing civilians are also increasingly reported.

JANUARY 1999

Serb forces move into Kosovo in large numbers.

MARCH - JUNE 1999

NATO launches air campaign against Serbia to stop atrocities carried out in Kosovo. The campaign is suspended following agreement to withdraw Serb forces from Kosovo.

## INTERNATIONAL RESPONSE

SEPTEMBER 1991

UN Security Council imposes a weapons embargo.

OCTOBER 1991

UN Secretary General appoints a personal envoy to the region.

FEBRUARY 1992

UN Security Council creates a peacekeeping force (UNPROFOR), which grows to 39,000 personnel.

JANUARY 1993

UN Commission of Experts calls for an international criminal tribunal to prosecute atrocities.

MAY 1993

UN Security Council creates the ICTY under Chapter VII of the UN Charter.

JULY 1994

UN Security Council appoints Richard Goldstone as the first ICTY prosecutor.

AUGUST 1994

NATO meets to approve command and control arrangements for the use of air power.

AUGUST - SEPTEMBER 1995

NATO launches air campaign against Bosnian Serb targets to stop attacks on UN "safe areas".

MARCH 1995

UNPROFOR is replaced with three separate missions in Croatia, Bosnia and Macedonia.

NOVEMBER 1994

The first ICTY indictment is issued.

NOVEMBER 1996

The first ICTY judgment is rendered.

MAY 1999

Slobodan Milosevic is indicted by the ICTY for crimes in Kosovo. The charges are later expanded to cover crimes in Bosnia and Croatia.

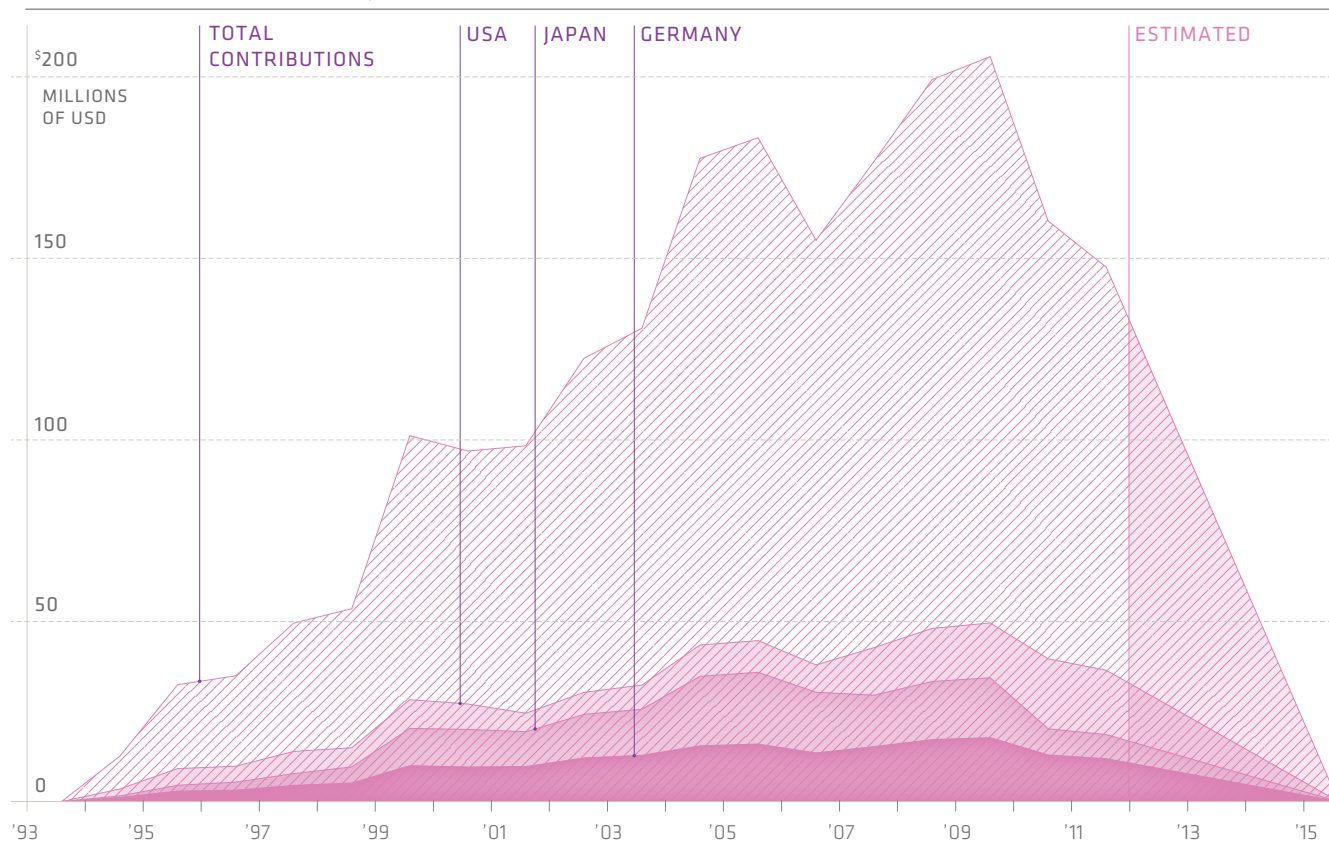
JUNE 1999

Following UN Security Council resolution, a NATO-led peacekeeping force (KFOR) enters Kosovo.



# INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

ICTY ANNUAL CONTRIBUTIONS, 1993 - 2015



## TRIBUNAL INFORMATION

Located at The Hague, in The Netherlands, the ICTY was created in May 1993 by the UN Security Council under Chapter VII of the UN Charter.

The ICTY has jurisdiction over crimes against humanity, genocide, and war crimes in international and non-international armed conflicts committed in the territory of the former Yugoslavia after January 1, 1991.

The ICTY exercises primacy over the national tribunals of the former Yugoslavia but may refer cases to these courts, which continue to exercise concurrent jurisdiction. The judicial chambers of the ICTY, which consist of three Trial Chambers and one

Appeals Chamber (the latter of which is shared with the ICTR), are comprised of international judges.

Due to delays and the capture of the last at large indictees in 2011, all trials and appeals at the ICTY will likely be concluded no sooner than 2016.

TOTAL ESTIMATED COST OF ICTY

**\$2,319,357,047**

DATE OF FIRST ICTY INDICTMENT

**7 NOV 1994**

FIRST ICTY INDICTEE

**DRAGAN NIKOLIĆ**

INDICTMENTS ISSUED

**161**

average of 8.5 per year

ONGOING PROCEEDINGS

**TWENTY NINE INDIVIDUALS**

PLEADED GUILTY

**TWENTY**

INDICTMENTS REFERRED TO NATIONAL JURISDICTIONS

**THIRTEEN**

INDICTEES STILL AT LARGE

**ZERO**

The final two indictees still at large, Goran Hadžić and Ratko Mladić, were arrested on 20 July 2011 and 26 May 2011, respectively

NUMBER OF COUNTRIES WHERE CONVICTED PERSONS ARE/WERE SERVING THEIR SENTENCES

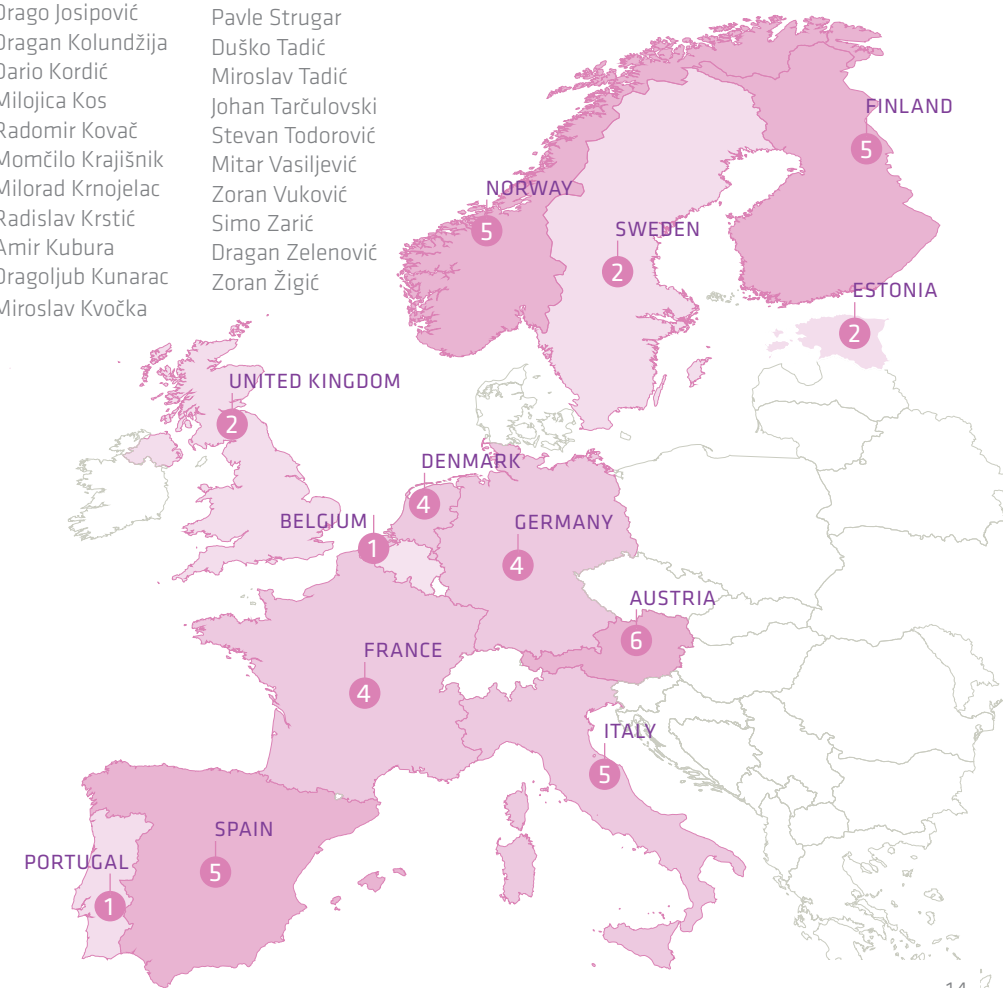
**THIRTEEN**

see map for countries and numbers of convicted persons (remaining are detained in The Hague awaiting transfer)

INDIVIDUALS WITH FINAL CONVICTIONS

**SIXTY SIX**

Zlatko Aleksovski	Esad Landžo
Milan Babić	Milan Lukić
Haradin Bala	Sredoje Lukić
Predrag Banović	Milan Martić
Vidoje Blagojević	Vinko Martinović
Tihomir Blaškić	Dragomir Milošević
Ljubomir Borovčanin	Darko Mrđa
Miroslav Bralo	Mile Mrkić
Radoslav Brđanin	Zdravko Mucić
Mario Čerkez	Mladen Naletilić
Ranko Češić	Dragan Nikolić
Hazim Delić	Momir Nikolić
Rasim Delić	Dragan Obrenović
Miroslav Deronjić	Biljana Plavšić
Damir Došen	Dragoljub Prcać
Dražen Erdemović	Mlado Radić
Anto Furundžija	Ivica Rajić
Stanislav Galić	Vladimir Šantić
Enver	Duško Sikirica
Hadžihasanović	Blagoje Simić
Goran Jelisić	Milan Simić
Dragan Jokić	Veselin Šljivančanin
Miodrag Jokić	Milomir Stakić
Drago Josipović	Pavle Strugar
Dragan Kolundžija	Duško Tadić
Dario Kordić	Miroslav Tadić
Milojica Kos	Johan Tarčulovski
Radomir Kovač	Stevan Todorović
Milorad Krnojelac	Mitar Vasiljević
Radislav Krstić	Zoran Vuković
Amir Kubura	Simo Zarić
Dragoljub Kunarac	Dragan Zelenović
Miroslav Kvočka	Zoran Žigić



THE ICTY’S STATUTE AND RULES OF PROCEDURE AND EVIDENCE outline the procedures applicable to cases brought before the tribunal. Under these documents, the Prosecutor has broad discretion to initiate investigations and to indict individuals suspected of crimes that are within the parameters of the ICTY’s jurisdiction.

Formal charges against a defendant are marked by the confirmation of an indictment by a pre-trial judge. Following their arrest or voluntary surrender, defendants then appear before the ICTY where they enter a plea of guilty or not guilty on each count of the indictment against them.

Typically, a case will then proceed to trial, at the conclusion of which the Trial Chamber will issue a Trial Judgment which determines the defendant’s guilt or innocence (in which case they are released). The Trial Chamber’s determinations can be appealed to the Appeals Chamber, which, following an appeals hearing, issues an Appeals Judgment affirming, reversing or revising the Trial Judgment. Defendants still in custody who are acquitted on appeal are released.

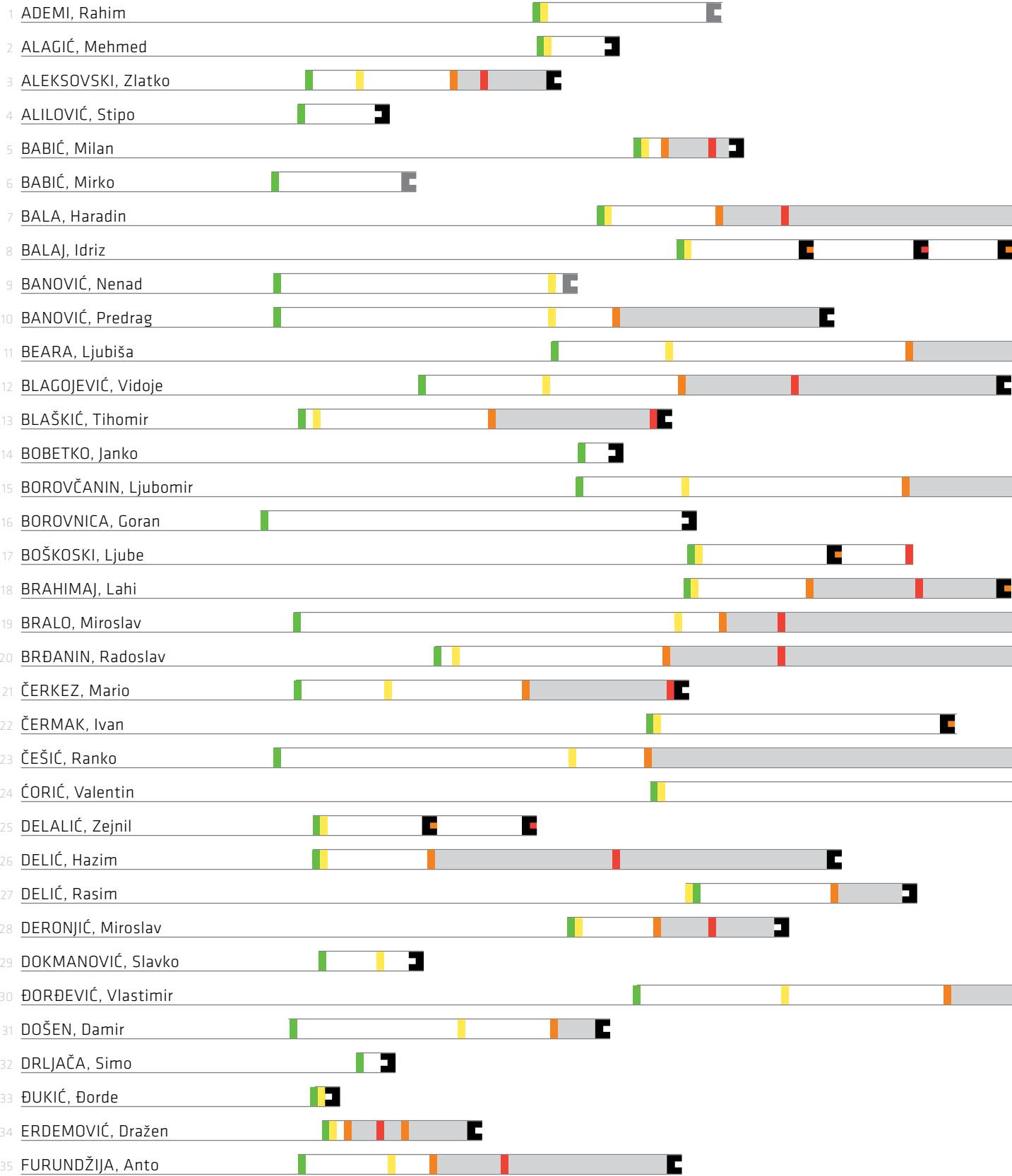
Defendants whose Trial Judgment convictions are affirmed or who are convicted on appeal are typically transferred to serve out the remainder of their sentence to one of 17 domestic jurisdictions that have signed agreements with the ICTY. Proceedings against these convicted defendants close once they are released either through early release or after serving out the entirety of their sentence.

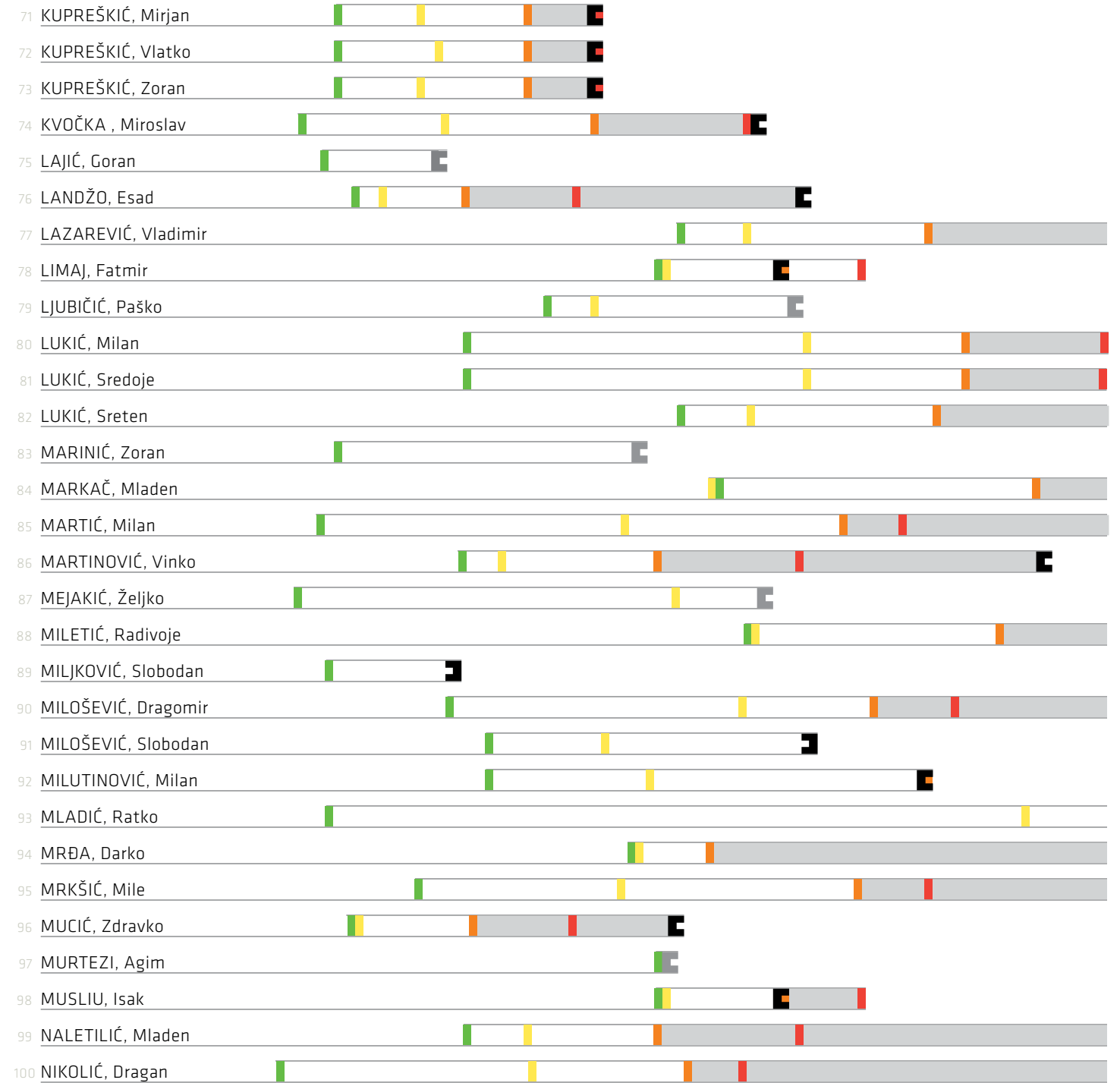
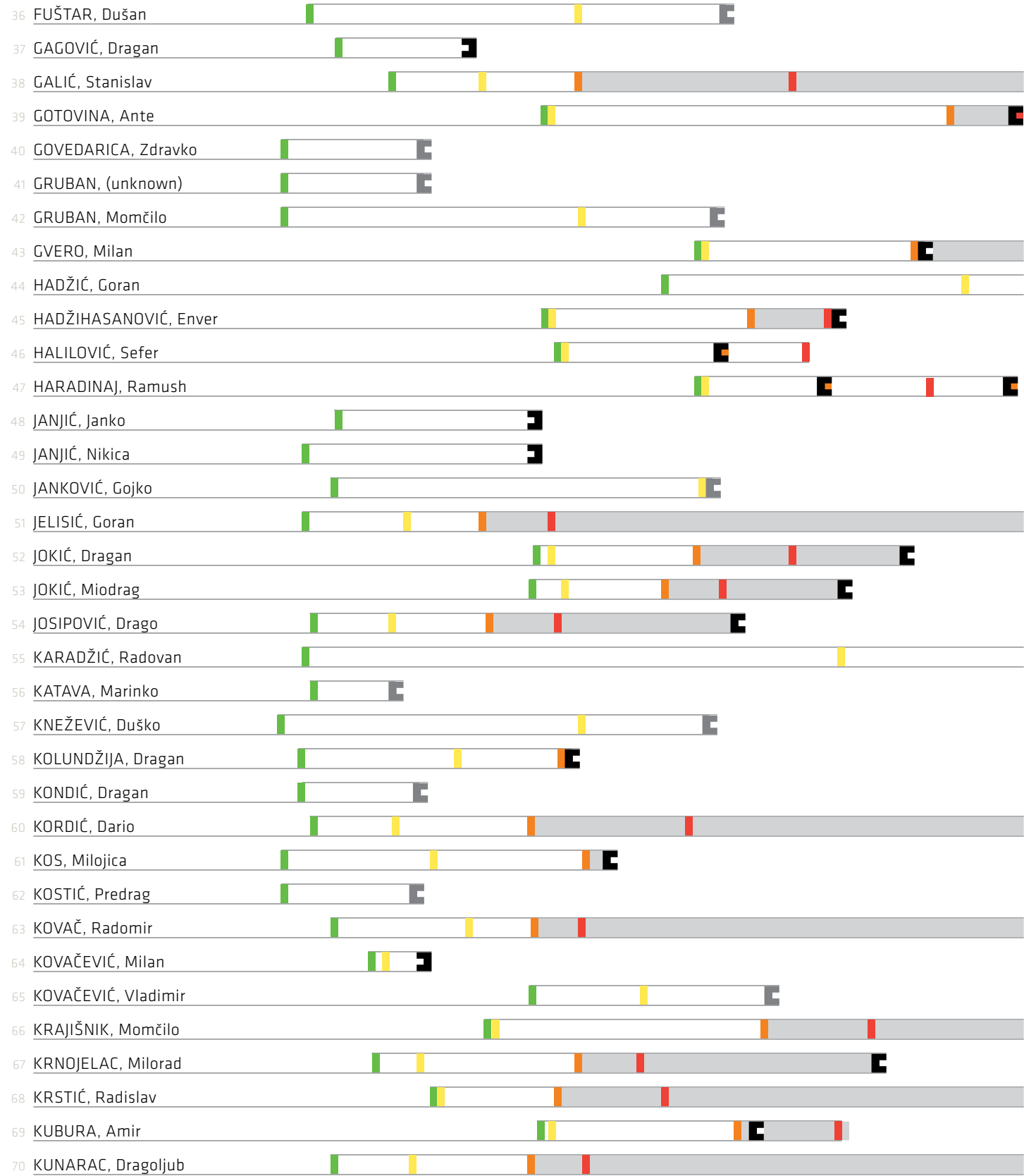
More generally, proceedings against defendants before the ICTY may be terminated if their indictment is withdrawn or if their case is referred to a competent national jurisdiction, and where a defendant dies.

Within this generally applicable procedural framework however, cases are inevitably shaped by their own unique circumstances. In some instances, the time from indictment to final conviction is completed relatively quickly, which often reflects an arrest immediately following the indictment and the entry of a guilty plea that allows for abbreviated hearings (see e.g., DERONJIĆ, Miroslav). In other cases, defendants evade arrest for years following their indictment thus significantly delaying their being brought to trial (see e.g., MLADIĆ, Ratko).

Individually, the graphics that follow show the unique procedural history of each of the 161 indictments issued by the ICTY, while collectively they illustrate the magnitude of the work carried out by the tribunal since its first indictment was issued in November 1994.

SYMBOL KEY	
	FORMAL CHARGES
	INITIAL APPEARANCE
	TRIAL JUDGMENT
	TRIAL CONVICTION
	FOUND INNOCENT AT TRIAL
	APPEAL JUDGMENT
	APPEAL CONVICTION
	FOUND INNOCENT ON APPEAL
	INDICTMENT WITHDRAWN OR REFERRED TO NATIONAL JURISDICTION
	DEATH OF DEFENDANT
	RELEASE FROM CUSTODY

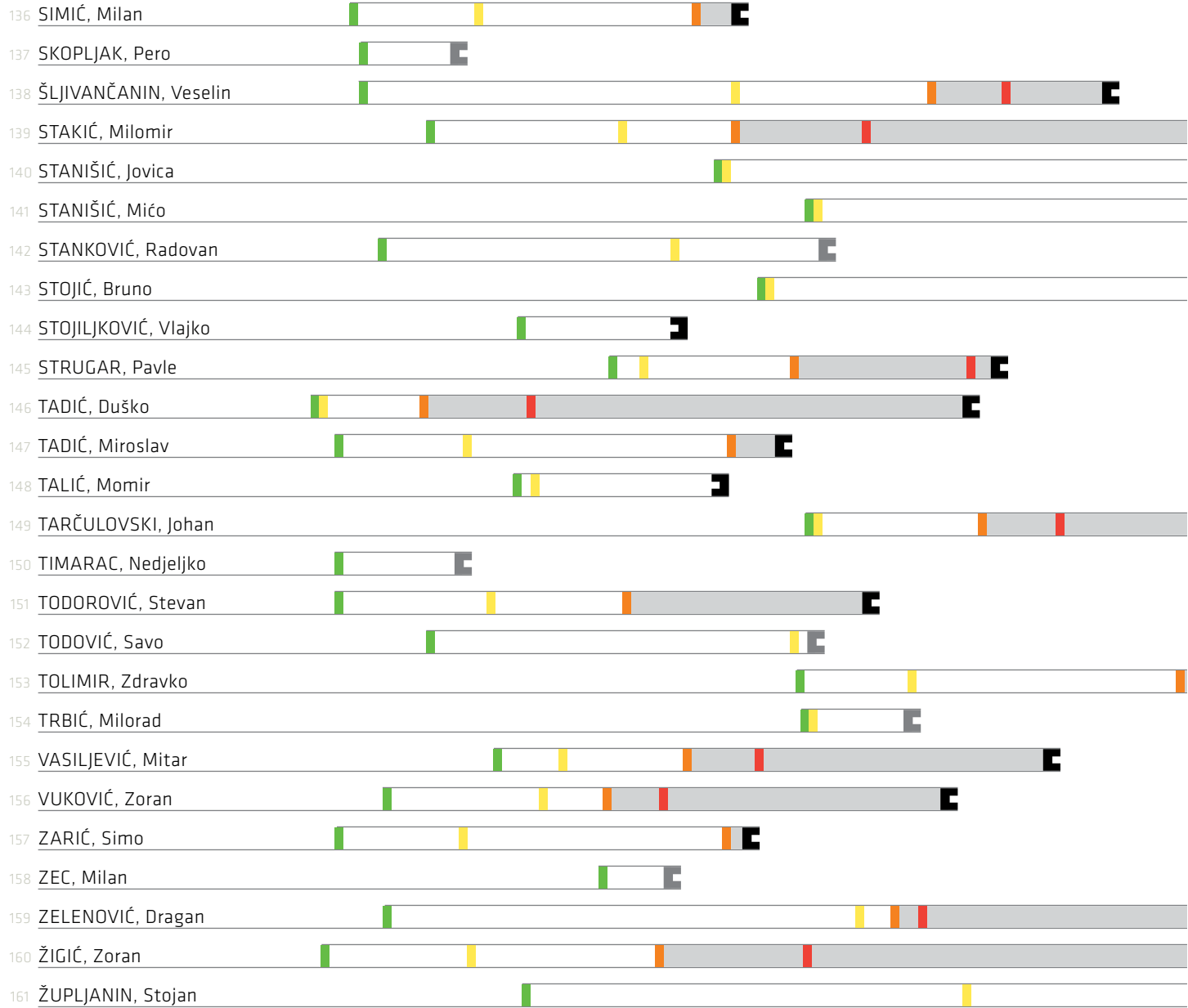
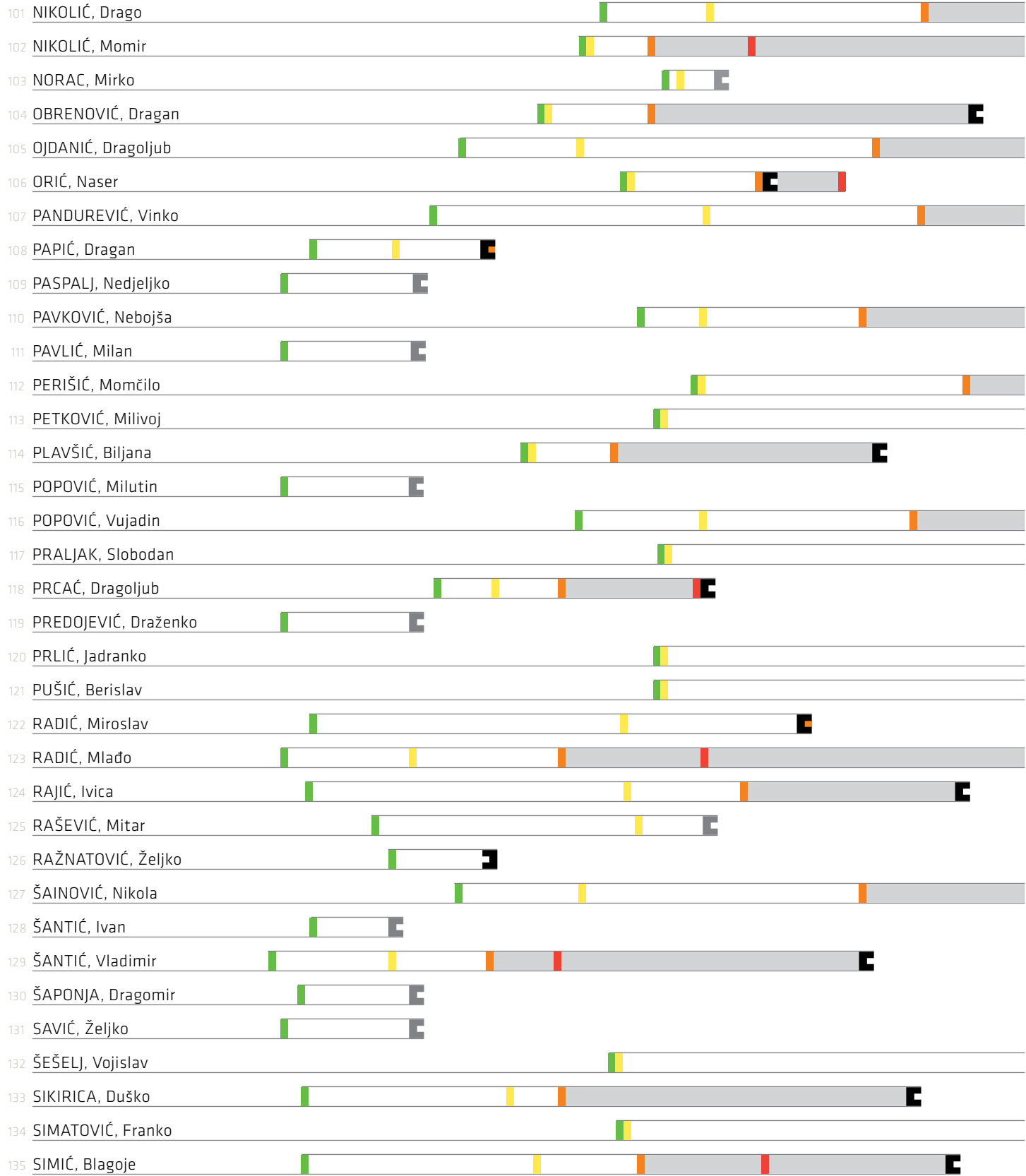




## SYMBOL KEY

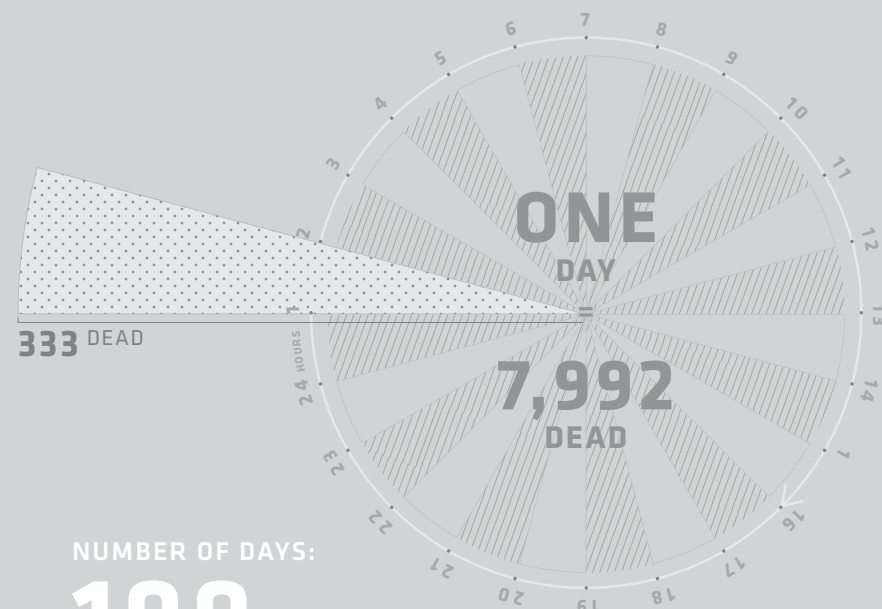
	FORMAL CHARGES		APPEAL JUDGMENT		INDICTMENT WITHDRAWN OR REFERRED TO NATIONAL JURISDICTION
	INITIAL APPEARANCE		APPEAL CONVICTION		DEATH OF DEFENDANT
	TRIAL JUDGMENT		FOUND INNOCENT ON APPEAL		RELEASE FROM CUSTODY
	TRIAL CONVICTION				
	FOUND INNOCENT AT TRIAL				





## SYMBOL KEY

- FORMAL CHARGES
- INITIAL APPEARANCE
- TRIAL JUDGMENT
- TRIAL CONVICTION
- FOUND INNOCENT AT TRIAL
- APPEAL JUDGMENT
- APPEAL CONVICTION
- FOUND INNOCENT ON APPEAL
- INDICTMENT WITHDRAWN OR REFERRED TO NATIONAL JURISDICTION
- DEATH OF DEFENDANT
- RELEASE FROM CUSTODY



NUMBER OF DAYS:

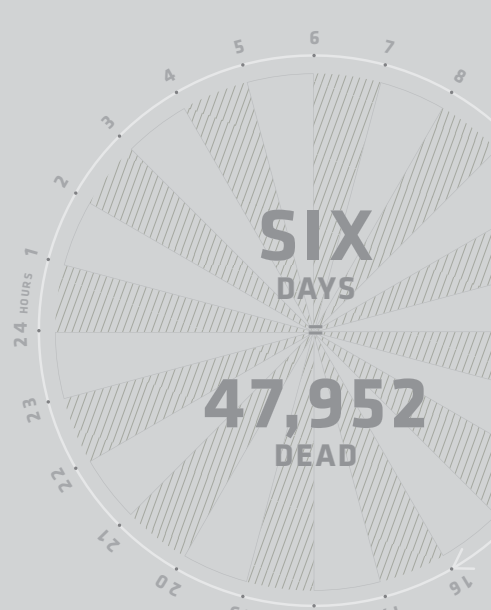
**100**

RWANDANS MASSACRED:

**800,000**

NUMBER OF PAGES THESE CHARTS WOULD SPAN:

**16+**



**ICTR**

## INTERNATIONAL CRIMINAL TRIBUNAL FOR **RWANDA**

“The Interahamwe searching the forest then saw the Witness and the baby she was carrying on her back. The Interahamwe put the baby on the ground and stripped and beat the Witness until she lost consciousness. [...] When the Witness regained consciousness, she saw her raped daughter dead, with her mouth open and legs apart. Another child, soaked in the blood from her raped daughter's vagina, was screaming next to the dead body.”

- Excerpt from Judgment in Prosecutor v. Kajelijeli, citing witness testimony



LOCATED IN ARUSHA, TANZANIA

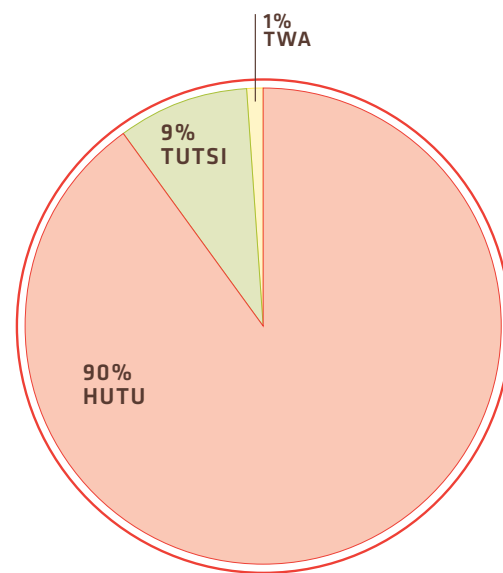
# ICTR FOR RWANDA

## OVERVIEW OF UNDERLYING CONFLICT

The UN Security Council established the ICTR under Chapter VII of the UN Charter in response to the genocide in Rwanda. The 1994 Rwandan genocide was fueled by long-running ethnic and political tensions between Hutu and Tutsi groups, which were exacerbated during Belgium's colonial rule and continued after Rwanda gained independence in 1962.

In the years following Rwanda's independence, waves of Hutu discrimination, harassment and violence drove many Tutsis from the country, including to neighboring Uganda where they formed the Rwandan Patriotic Front (RPF) in 1990. Following a three-year civil war waged between the RPF and government forces, Rwandan president Habyarimana agreed to the Arusha Peace Agreement in 1993, which called for the creation of multiparty democracy in Rwanda. Hutu extremists denounced the Arusha Peace Agreement and intensified their propaganda campaign against Tutsis, notably through the press and Radio-Télévision Libre des Mille Collines (RTLMC).

On April 6, 1994, a plane carrying Rwanda and Burundi's presidents was shot down outside Kigali. RTLMC immediately blamed president Habyarimana's assassination on Tutsis (the responsible parties have never been conclusively identified) and within hours the Rwandan army, along with



### RWANDA

Total Population in 1994:

8,373,963

Hutu militias known as Interahamwe, began setting up roadblocks, apprehending Tutsis and massacring them. Hundreds of thousands of civilians were enlisted or coerced into participating in the killings, which began targeting not only Tutsis but also moderate Hutus, as well as those who refused to participate in the slaughter. From April to mid-July 1994, when the RPF gained control over the country and effectively ended the genocide, approximately 800,000 Rwandans were massacred, with countless more raped, mutilated and tortured.

To its great discredit, the international community did little to address the ongoing slaughter in Rwanda. As a consequence of the 1993 Arusha Peace Agreement, the UN had established the United Nations Assistance Mission for Rwanda (UNAMIR), headed

by Canadian General Romeo Dallaire, to assist in Rwanda's transition. In the months preceding the genocide, the UN largely ignored General Dallaire's warnings of an impending campaign of extermination. Then, once the genocide had begun, the UN reduced its UNAMIR presence in Rwanda from 2,539 to 270 personnel, effectively renouncing any armed intervention to stop the massacre. Only after the RPF had halted most of the killings and forced Hutu genocidaires toward the Congolese border in July 1994 was any significant international assistance sent to Rwanda. It was against this backdrop of inactivity, and the then-recent establishment of the ICTY, that the UN Security Council established the ICTR in November 1994.





JAN

FEB

MAR

APR

MAY

JUN

JUL

AUG

SEP

OCT

NOV

DEC

## DOMESTIC EVENTS

## APRIL 6

The plane carrying Rwandan President Habyarimana and the President of Burundi is shot down outside of Kigali.

## APRIL 7

Government officials in a position to take over the country are assassinated, including Prime Minister Uwilingiyimana, who is killed along with the Belgian UN personnel guarding her.

## APRIL - JULY

Within hours of President Habyarimana's death, the Rwandan army and Hutu militias began slaughtering Tutsis and moderate Hutus. Hundreds of thousands of Hutus join in the mass killings, which continue for the next hundred days.

## WEEK OF APRIL 11

Murambi Technical School massacre. 2,600 to 4,000 people killed.

## APRIL 15-16

Massacre at Cyahinda church. 10,000 to 15,000 people killed.

## WEEK OF APRIL 18

Massacre at Karama Church. Tens of thousands of people killed.

## MID-MAY

ICRC estimates that 500,000 have died so far in the genocide.

## MAY 21

RPF forces capture the Kigali airport.

## EARLY JUNE

Massacre at Nyakizu. 20,000 people killed.

## LATE JUNE

Rwandese government forces weakened as RPF intensifies its offensives to take Kigali and other government-controlled areas.

## JULY 4

RPF captures Kigali, thus effectively ending the genocide. Over the past 100 days, an average of 333 Rwandans were killed every hour.

## JULY - AUGUST

Hutu government flees Rwanda, followed by a tide of refugees fearing reprisals from the RPF.

## INTERNATIONAL RESPONSE

## JANUARY 11

General Dallaire, force commander of the UN Assistance Mission for Rwanda (UNAMIR), sends a telegram to UN Secretary General with key information regarding the risk of genocide in Rwanda.

## FEBRUARY

General Dallaire continues to request permission for UNAMIR to take a more active role in Rwanda in light of the growing threat of violence.

## MARCH 22

UNAMIR troops reach 2,539 personnel from 24 participating countries, though their mandate to use force to protect civilians remains limited.

## APRIL

Following the killing of 10 Belgian UNAMIR peacekeepers, Belgian and French UNAMIR troops leave Rwanda. Days later UN Security Council unanimously votes to reduce UNAMIR presence to 270 troops.

## MAY 30

UN Secretary General Rwanda report to UN Security Council finally uses the word "genocide", though members of the Council still refuse to formally recognise the slaughter as such.

## JUNE 22

UN Security Council authorizes the deployment of French troops in Rwanda, which largely serves to protect fleeing Hutu genocidaires from RPF reprisals.

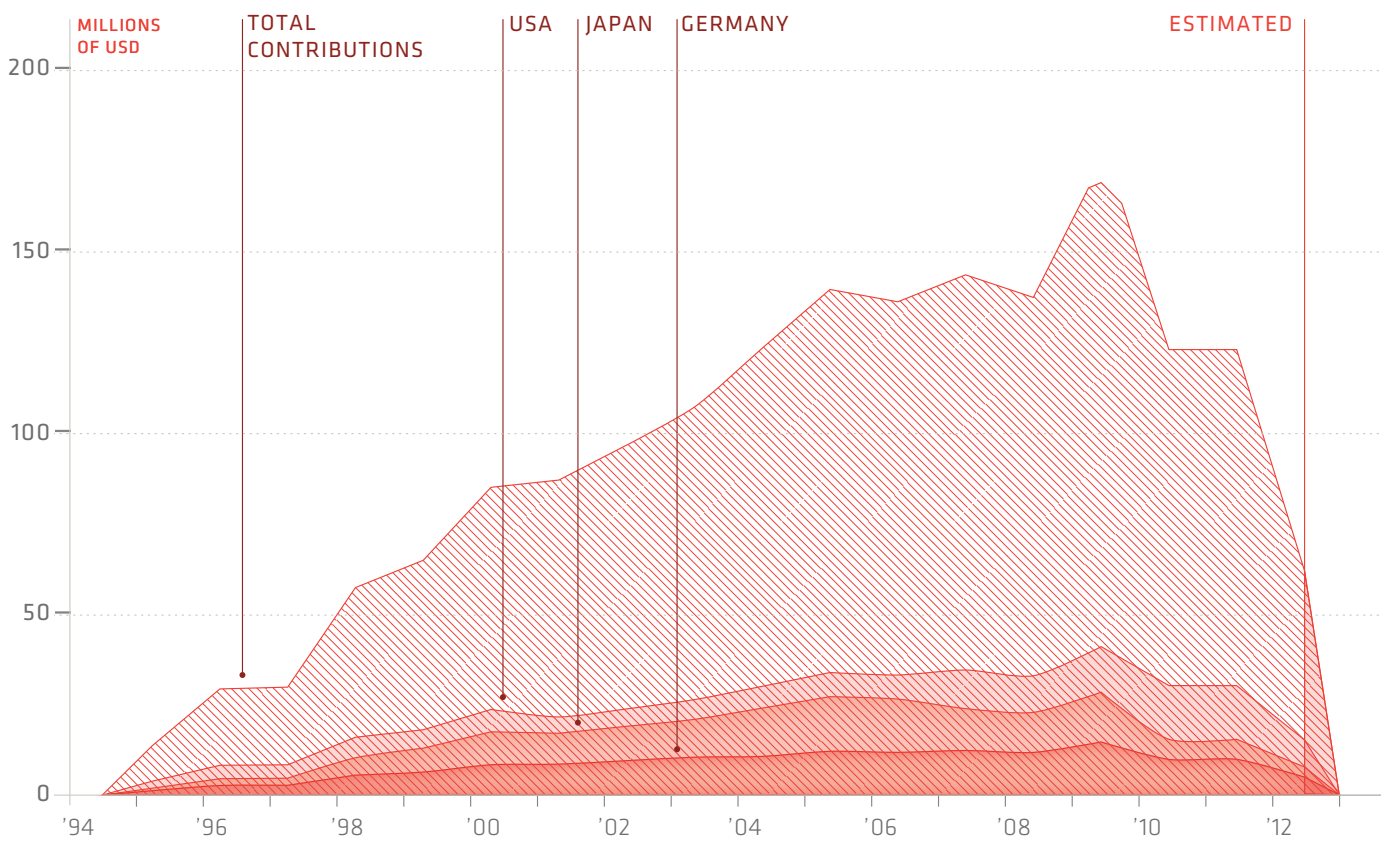
## JULY 17

UN reports that over a million Rwandese have crossed over into Zaire fearing reprisals from the RPF.

## NOVEMBER 8

The UN Security Council votes to create the ICTR under Chapter VII of the UN Charter.

ICTR ANNUAL CONTRIBUTIONS, 1994 - 2013



TRIBUNAL INFORMATION

Sitting in Arusha, Tanzania, the ICTR was created in November 1994 by the UN Security Council under Chapter VII of the UN Charter.

The ICTR has jurisdiction over crimes against humanity, genocide, and war crimes in non-international armed conflicts, which were committed in the territory of Rwanda between 1 January 1994 and 31 December 1994. The ICTR may also prosecute Rwandan citizens responsible for the commission of these crimes in the territory of neighboring States during the same period.

The judicial chambers of the ICTR, which consist of three Trial Chambers and one Appeals Chamber, are comprised of international judges. Although all

ICTR activities were to be completed by 2010, trials and appeals are still ongoing before the tribunal, and nine indictees remain at large. The ICTR is now actively referring cases to Rwanda and has established a residual mechanism as it moves to wrap up its proceedings.

TOTAL ESTIMATED COST OF ICTR

\$1,757,521,910

DATE OF FIRST ICTR INDICTMENT

28 NOV 1995

FIRST ICTR INDICTEES

Kayishema, Muhimana, Ndimbati, Rutaganira, Ruzindana, Ryandikayo and Sikubwabo

INDICTMENTS ISSUED

90

average of 5 per year

ONGOING PROCEEDINGS

SIXTEEN INDIVIDUALS

PLEADED GUILTY

NINE

INDICTMENTS REFERRED TO NATIONAL JURISDICTIONS

TEN

INDICTEES STILL AT LARGE

THREE

Bizimana, Kabuga and Mpiranya (the cases of an additional six at large indictees were referred to national jurisdictions)

NUMBER OF COUNTRIES WHERE CONVICTED PERSONS ARE/WERE SERVING THEIR SENTENCES

FOUR

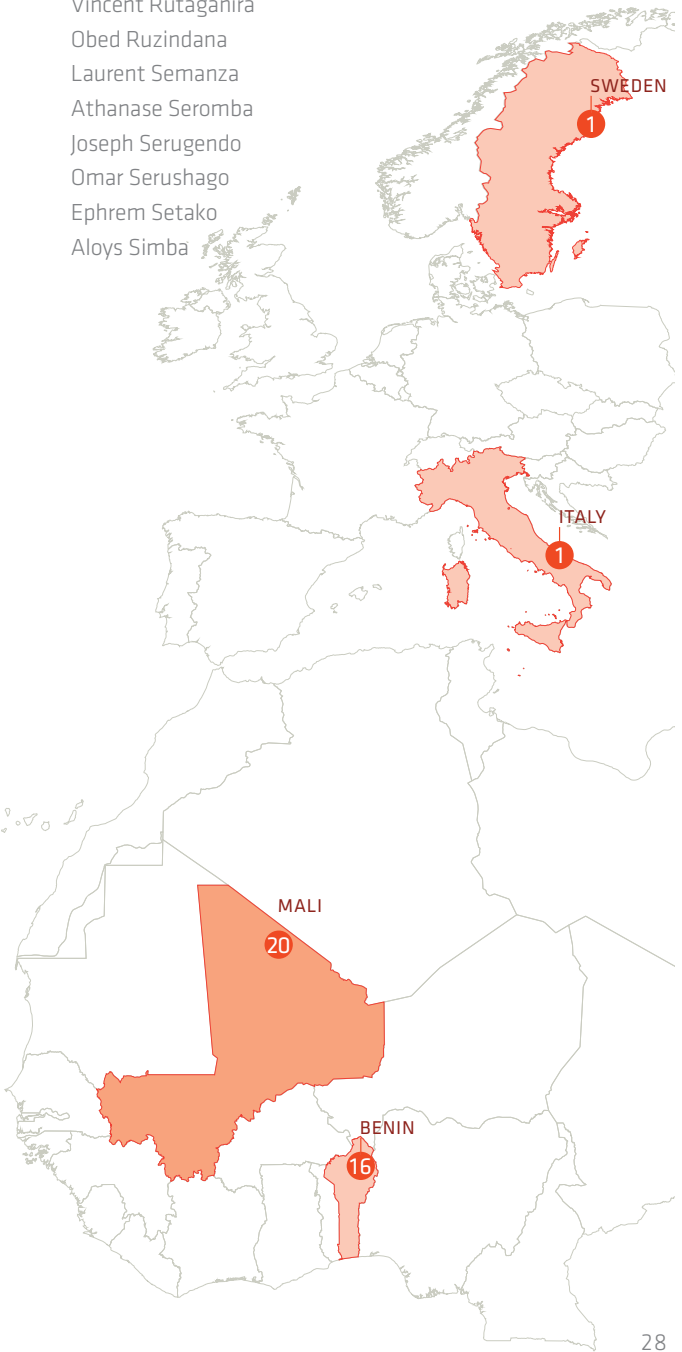
see map for countries and numbers of convicted persons (remaining are detained in Arusha awaiting transfer)

INDIVIDUALS WITH FINAL CONVICTIONS

FORTY FIVE

Jean Paul Akayesu  
Michel Bagaragaza  
Théoneste Bagosora  
Jean Bosco Barayagwiza  
Simon Bikindi  
Paul Bisengimana  
Sylvestre Gacumbitsi  
Jean-Baptiste Gatete  
Idelphonse Hategekimana  
Samuel Imanishimwe  
Juvénal Kajelijeli  
Callixte Kalimanzira  
Jean Kambanda  
Jean de Dieu Kamuhanda  
Gaspard Kanyarukiga  
François Karera  
Clément Kayishema  
Mikaeli Muhimana  
Yussuf Munyakazi  
Alfred Musema  
Tharcisse Muvunyi  
Ferdinand Nahimana  
Simeon Nchamihigo  
Emmanuel Nindabahizi  
Hassan Ngeze  
Eliezer Niyitegeka  
Anatole Nsengiyumva  
Aloys Ntabakuze

Elizaphan Ntakirutimana  
Gérard Ntakirutimana  
Dominique Ntawukulilyayo  
Joseph Nzabirinda  
Tharcisse Renzaho  
Juvénal Rugambarara  
Georges Ruggiu  
Emmanuel Rukundo  
Georges Rutaganda  
Vincent Rutaganira  
Obéd Ruzindana  
Laurent Semanza  
Athanase Seromba  
Joseph Serugendo  
Omar Serushago  
Ephrem Setako  
Aloys Simba



PROCEDURES BEFORE THE ICTR LARGELY MIRROR THOSE OF THE ICTY. Thus, the ICTR's Statute and its Rules of Procedure and Evidence outline the procedures applicable to cases brought before the tribunal. Under these documents, the Prosecutor has broad discretion to initiate investigations and to indict individuals suspected of crimes that are within the parameters of the ICTR's jurisdiction.

Formal charges against a defendant are marked by the confirmation of an indictment by a pre-trial judge. Following their arrest or voluntary surrender, defendants then appear before the ICTR where they enter a plea of guilty or not guilty on each count of the indictment against them.

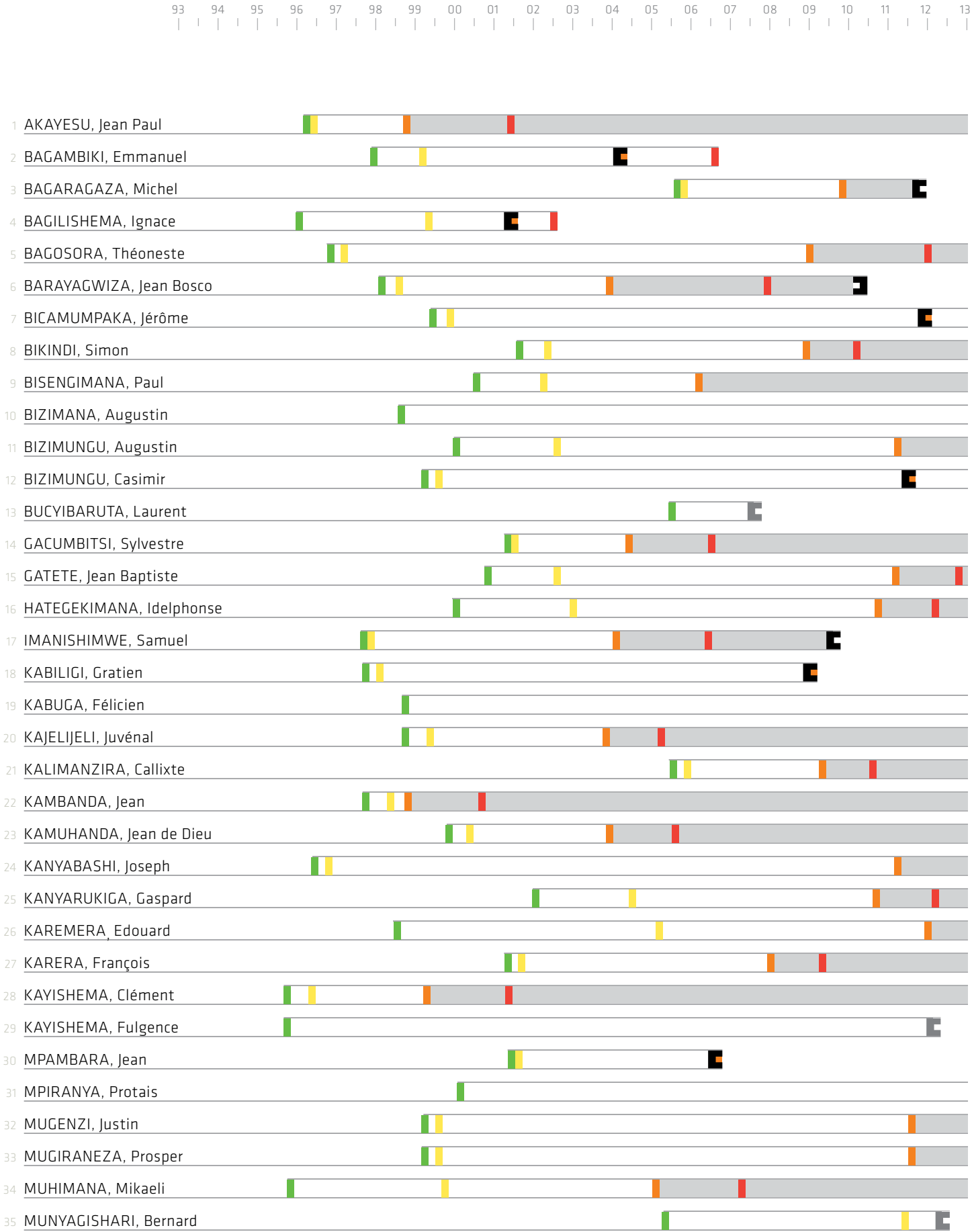
Typically, a case will then proceed to trial, at the conclusion of which the Trial Chamber will issue a Trial Judgment which determines the defendant's guilt or innocence (in which case they are released or convicted). The Trial Chamber's determinations can be appealed to the Appeals Chamber, which, following an appeals hearing, issues an Appeals Judgment affirming, reversing or revising the Trial Judgment. Defendants still in custody who are acquitted on appeal are released.

Defendants whose Trial Judgment convictions are affirmed and/or who are convicted on appeal are typically transferred to serve out the remainder of their sentence to one of the domestic jurisdictions that have signed agreements with the ICTR. Proceedings against these convicted defendants close once they are released either through early release or after serving out the entirety of their sentence.

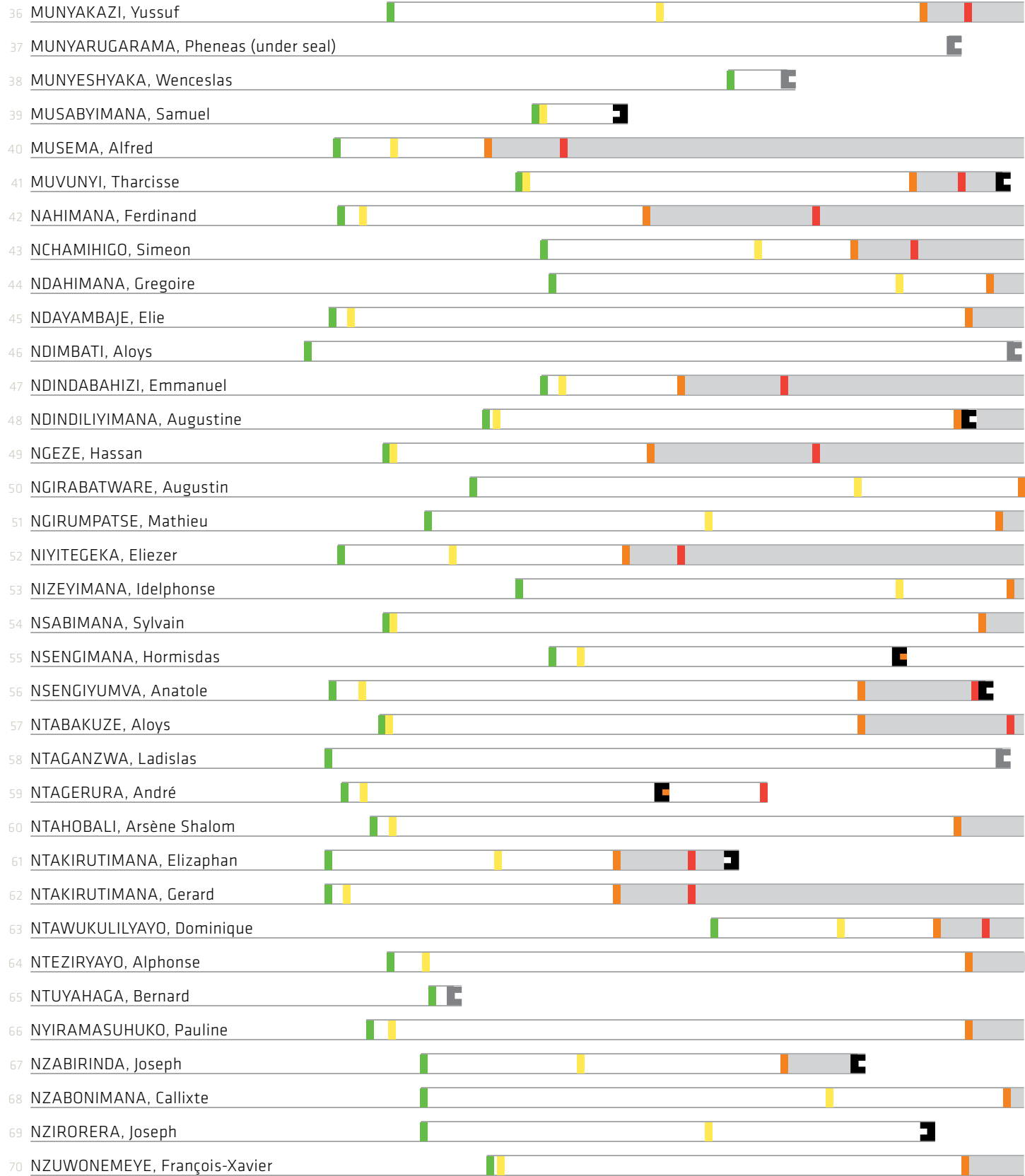
More generally, proceedings against defendants before the ICTR may be terminated if their indictment is withdrawn or if their case is referred to a competent national jurisdiction, and where a defendant dies.

As is evident from the graphics that follow, the ICTR has indicted a little more than half as many individuals as the ICTY. Proceedings before the ICTR have also proceeded at a slower pace than those before the ICTY. Moreover, a number of ICTR indictees remain at large, though their cases are increasingly being referred to Rwanda's domestic tribunals as the ICTR moves to wind up its operations.

SYMBOL KEY	
	FORMAL CHARGES
	INITIAL APPEARANCE
	TRIAL JUDGMENT
	TRIAL CONVICTION
	FOUND INNOCENT AT TRIAL
	APPEAL JUDGMENT
	APPEAL CONVICTION
	FOUND INNOCENT ON APPEAL
	INDICTMENT WITHDRAWN OR REFERRED TO NATIONAL JURISDICTION
	DEATH OF DEFENDANT
	RELEASE FROM CUSTODY





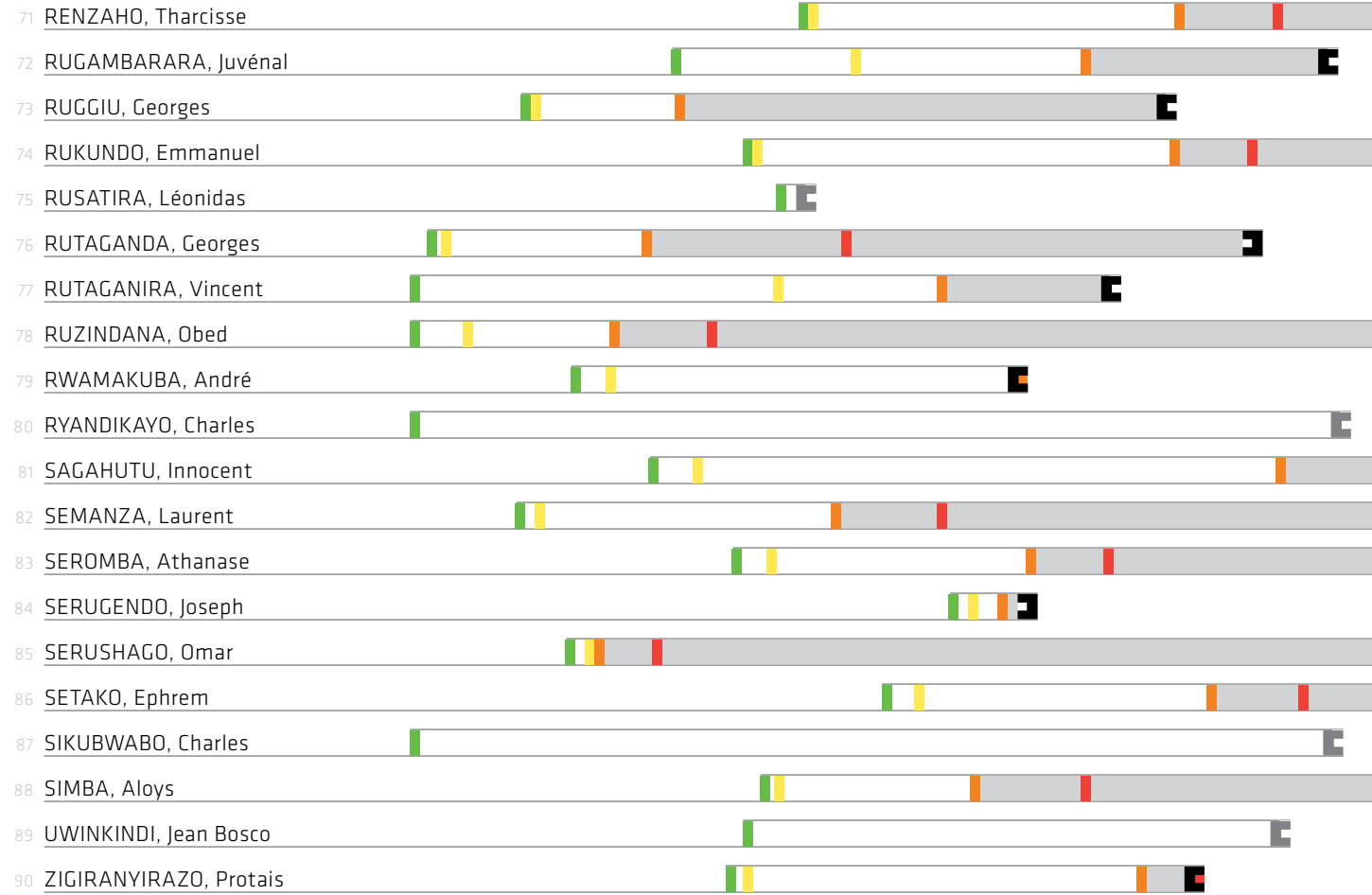


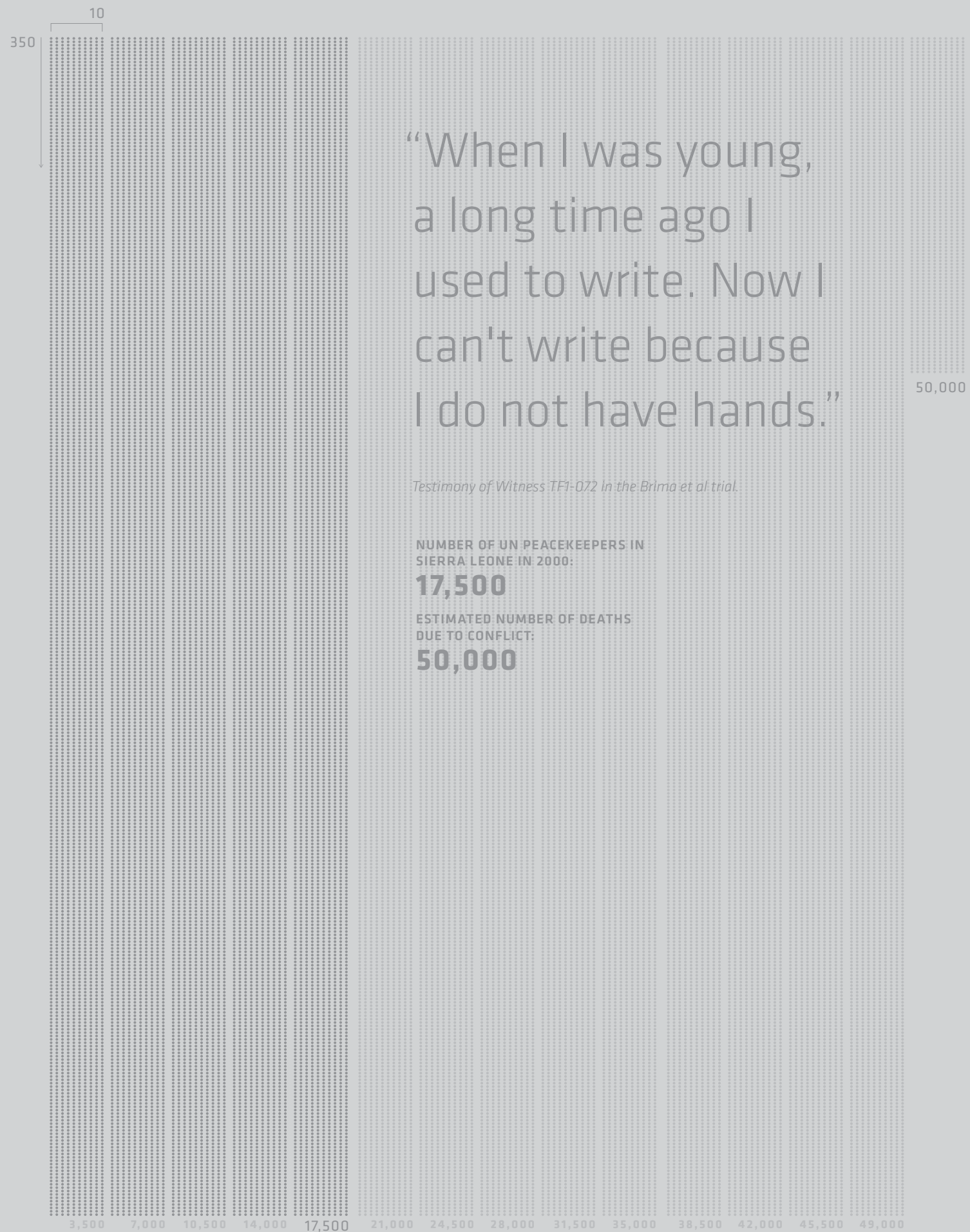
SYMBOL KEY

- FORMAL CHARGES
- INITIAL APPEARANCE
- TRIAL JUDGMENT
- TRIAL CONVICTION
- FOUND INNOCENT AT TRIAL

- APPEAL JUDGMENT
- APPEAL CONVICTION
- FOUND INNOCENT ON APPEAL

- INDICTMENT WITHDRAWN OR REFERRED TO NATIONAL JURISDICTION
- DEATH OF DEFENDANT
- RELEASE FROM CUSTODY





SCSL

## SPECIAL COURT FOR SIERRA LEONE



LOCATED IN FREETOWN, SIERRA LEONE

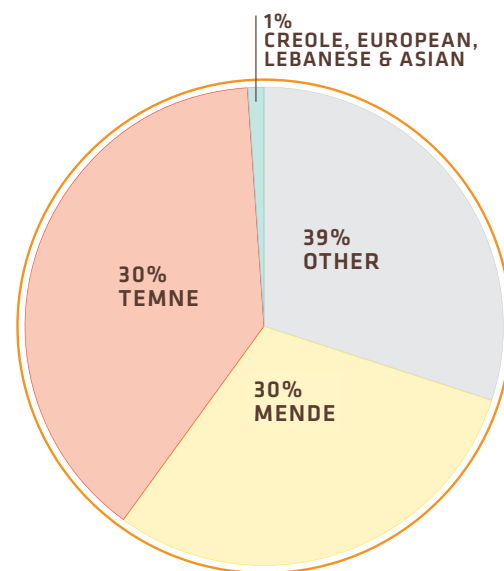
# SPECIAL COURT FOR SIERRA LEONE

## OVERVIEW OF UNDERLYING CONFLICT

The SCSL was created in 2002 through an agreement between Sierra Leone and the UN, in response to the atrocities committed during the civil war that ravaged the country throughout the 1990s.

The protracted conflict in Sierra Leone opposed pro-government forces, namely the Civil Defence Forces (CDF) to two rebel groups (the Revolutionary United Front (RUF) and the Armed Forces Revolutionary Council (AFRC)), as well as each faction's respective international allies.

By the early 1990s, unemployment in Sierra Leone was widespread and the educational system had collapsed. Leaders of the RUF, aided by Liberian President Charles Taylor, emerged out of this discontent with the objective of overthrowing the ruling government and taking control of the country's diamond mines. In 1997, a rebel faction of the Sierra Leone Army, the AFRC, carried out a coup d'état against the democratically-elected government. The AFRC then aligned itself with the RUF in an uneasy power-sharing agreement, which opposed them to the pro-government CDF. In 1998, backed by foreign troops from the Economic Community of West African States Monitoring Group (ECOMOG), the CDF managed to regain control of key districts in Sierra Leone and retake control of Freetown. Additional international personnel from the UN Mission in Sierra Leone (UNAMSIL), whose presence



### SIERRA LEONE

Total Population in 1996:  
**4,793,121**

grew to 17,500, deployed to Sierra Leone to try to maintain peace between the warring factions and protect the civilian population. After the signing and subsequent collapse of numerous peace agreements between the government and rebel forces, the civil war officially ended in January of 2002.

Throughout, the conflict in Sierra Leone was marked by exceptional brutality, including the widespread conscription of children as soldiers and sexual slaves, and the calculated physical mutilation of civilians. The RUF, in particular, became infamous for its amputation of civilians' limbs as a terror tactic. An estimated 50,000 people were killed during the Sierra Leonean conflict, while countless others were forced to flee their homes.





SIERRA LEONE

DOMESTIC EVENTS

**MARCH 1996**  
President Kabbah takes office after elections amidst ongoing civil conflict between government and the RUF.

**NOVEMBER 1996**  
President Kabbah signs Abidjan Peace Accord with RUF, granting their forces broad amnesty. Hostilities quickly resume, however.

**MAY 1997**  
Faction of Sierra Leone Army overthrows the government of President Kabbah and forms the AFRC, which enters into uneasy power sharing agreement with the RUF.

**OCTOBER 1997**  
Conakry Peace Plan signed in Guinea to restore Constitutional governance to Sierra Leone. AFRC nevertheless continues to cling to power.

**FEBRUARY 1998**  
Nigerian-led forces from ECOMOG remove AFRC from Freetown and reinstate President Kabbah.

**SPRING 1998**  
ECOMOG and pro-government CDF retake several districts in Sierra Leone.

**EARLY 1999**  
AFRC forces invade Freetown before being forced to retreat, which results in massive civilian casualties.

**JULY 1999**  
Government and RUF sign Lomé Peace Agreement. AFRC not represented. RUF hostilities still continue.

**JUNE 2000**  
President Kabbah asks the UN to create a tribunal to prosecute human rights abuse perpetrators.

**NOVEMBER 2000**  
New ceasefire signed between government and RUF in Abuja.

**JANUARY 2002**  
Civil war is formally declared over by President Kabbah and weapons are symbolically burned .

INTERNATIONAL RESPONSE

**SUMMER 1997**  
International outcry over AFRC coup in Sierra Leone. ECOMOG troops are mandated with addressing the civil conflict in Sierra Leone.

**OCTOBER 1997**  
UN Security Council imposes sanctions on Sierra Leone, including arms and petroleum bans.

**JULY 1998**  
UN Security Council establishes a monitoring group for Sierra Leone.

**OCTOBER 1999**  
UNAMSIL created to implement Lomé Peace Agreement.

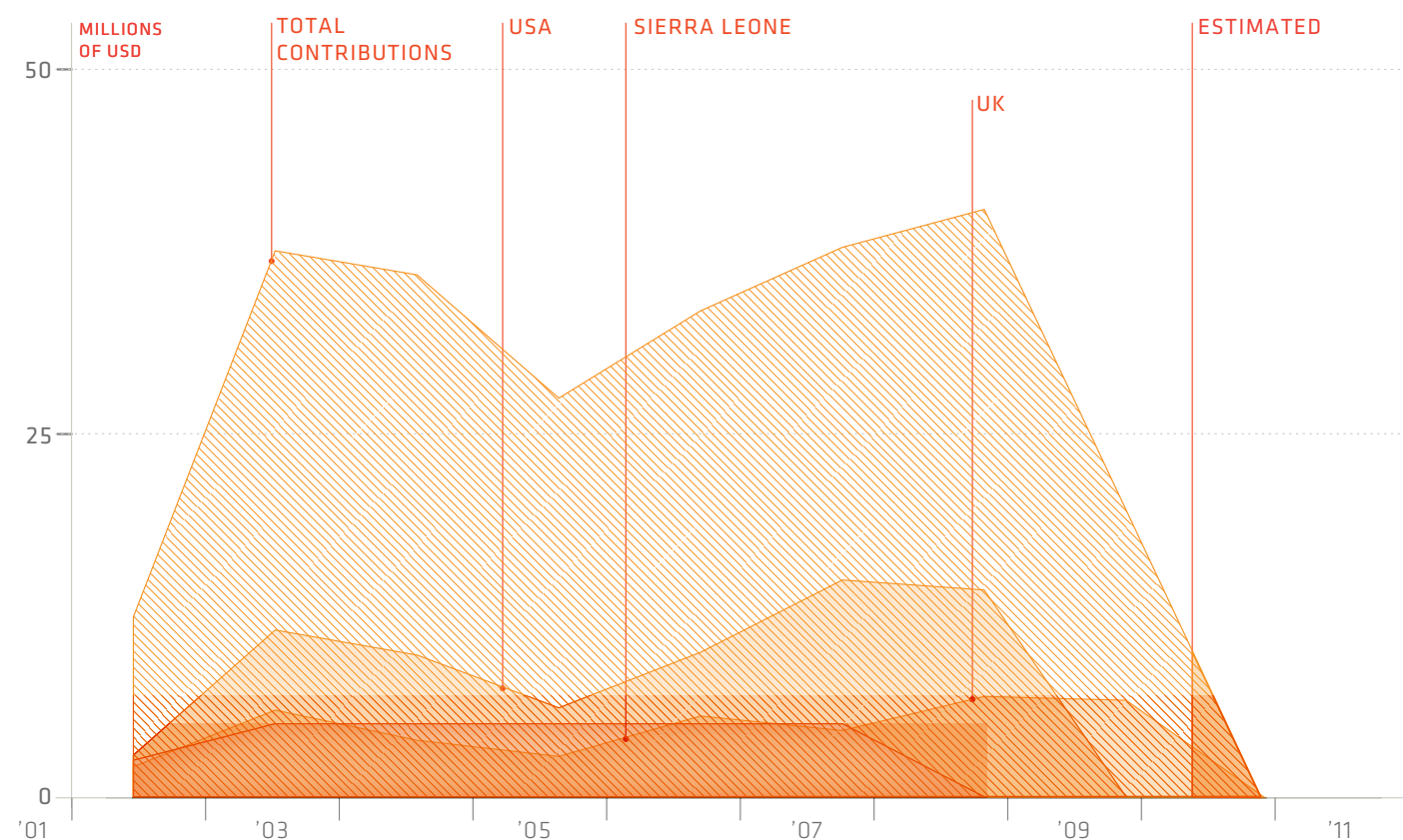
**MAY 2000**  
British Royal Marines help the government battle RUF forces.

**MARCH 2001**  
UN increases UNAMSIL forces to 17,500 personnel.

**JANUARY 2002**  
UN and Sierra Leone sign an agreement to establish the SCSL in Freetown.

SPECIAL COURT FOR **SIERRA LEONE**

SCSL ANNUAL CONTRIBUTIONS, 2002 - 2011



## TRIBUNAL INFORMATION

Sitting in Freetown, Sierra Leone, the SCSL was created through an agreement between Sierra Leone and the UN. It has jurisdiction over both international crimes, namely crimes against humanity and war crimes, as well as crimes under Sierra Leonean law committed in Sierra Leone since 30 Nov. 1996. The SCSL exercises primacy over the national courts of Sierra Leone, which have concurrent jurisdiction. From 2002 to 2004, the SCSL also operated alongside a national Truth and Reconciliation Commission.

The judicial chambers of the SCSL, which consist of two Trial Chambers and an Appeals Chamber, are comprised of a combination of judges appointed by

the UN (a majority) and by Sierra Leone (a minority). Given this mix of domestic and international elements, the SCSL is commonly described as a hybrid tribunal.

While one indictee remains at large, all other SCSL trials have been completed, including that of Charles Taylor, the former president of Liberia, which was exceptionally held at The Hague out of security concerns. Charles Taylor's trial conviction is currently before the SCSL Appeals Chamber.

## TOTAL ESTIMATED COST OF SCSL

**\$208,211,374**

## DATE OF FIRST SCSL INDICTMENT

**7 MAR 2003**

## FIRST SCSL INDICTEES

**Bockarie, Brima, Kallon,  
Koroma, Norman, Sankoh,  
Sesay and Taylor**

## INDICTMENTS ISSUED

**13**

average of 1.3 per year

## ONGOING PROCEEDINGS

**TWO INDIVIDUALS**

## PLEADED GUILTY

**ZERO**INDICTMENTS REFERRED TO  
NATIONAL JURISDICTIONS**ZERO**

## INDICTEES STILL AT LARGE

**ONE**

Johnny Paul Koroma is still considered at large though there are reports he is deceased.

NUMBER OF COUNTRIES WHERE  
CONVICTED PERSONS ARE SERVING  
THEIR SENTENCES**ONE**

see map for countries and numbers of convicted persons

## INDIVIDUALS WITH FINAL CONVICTIONS

**EIGHT**

Alex Tamba Brima  
Morris Kallon  
Issa Hassan Sesay  
Augustine Gbao  
Brima Bazzy Kamara  
Moinina Fofana  
Allieu Kondewa  
Santigie Borbor Kanu

In addition, Charles Taylor, found guilty by the SCSL Trial Chamber on 26 April 2012, is currently appealing his conviction before the SCSL Appeals Chamber





PROCEDURES BEFORE THE SCSL ALSO LARGELY MIRROR THOSE of the ICTY and the ICTR. Thus, the SCSL’s Statute and its Rules of Procedure and Evidence outline the procedures applicable to cases brought before the tribunal. Under these documents, the Prosecutor has broad discretion to initiate investigations and to indict individuals suspected of crimes that are within the parameters of the SCSL’s jurisdiction.

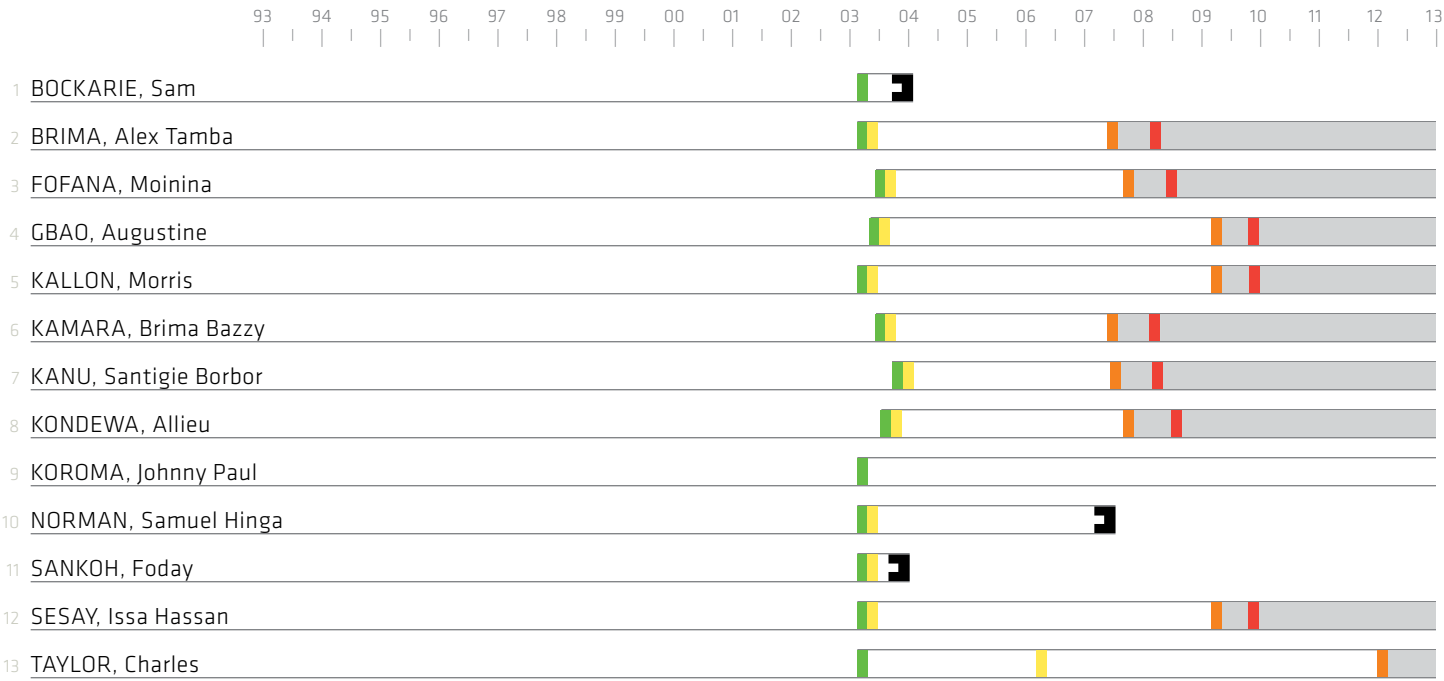
Formal charges against a defendant are marked by the confirmation of an indictment by a pre-trial judge. Following their arrest or voluntary surrender, defendants then appear before the SCSL where they enter a plea of guilty or not guilty on each count of the indictment against them.

Typically, a case will then proceed to trial, at the conclusion of which the Trial Chamber will issue a Trial Judgment which determines the defendant’s guilt or innocence (in which case they are released). The Trial Chamber’s determinations can be appealed to the Appeals Chamber, which, following an appeals hearing, issues an Appeals Judgment affirming, reversing or revising the Trial Judgment. Defendants still in custody who are acquitted on appeal are released.

Defendants whose Trial Judgment convictions are affirmed and/or who are convicted on appeal are typically transferred to serve out the remainder of their sentence to one of the domestic jurisdictions that have signed agreements with the SCSL. Proceedings against these convicted defendants close once they are released either through early release or after serving out the entirety of their sentence.

More generally, proceedings against defendants before the SCSL may be terminated if their indictment is withdrawn or if their case is referred to a competent national jurisdiction, and where a defendant dies.

SYMBOL KEY	
	FORMAL CHARGES
	INITIAL APPEARANCE
	TRIAL JUDGMENT
	TRIAL CONVICTION
	FOUND INNOCENT AT TRIAL
	APPEAL JUDGMENT
	APPEAL CONVICTION
	FOUND INNOCENT ON APPEAL
	INDICTMENT WITHDRAWN OR REFERRED TO NATIONAL JURISDICTION
	DEATH OF DEFENDANT
	RELEASE FROM CUSTODY



ESTIMATED POPULATION:  
**7.9 MILLION**

“And for the past 32 years [his] absence is something that we cannot bear. It is a permanent absence. ... [His] suffering was and is still our suffering and it does not go away with time, and I can tell you that the suffering in fact is more and more intense. It is like a gigantic screen that would be too close to our eyes.”

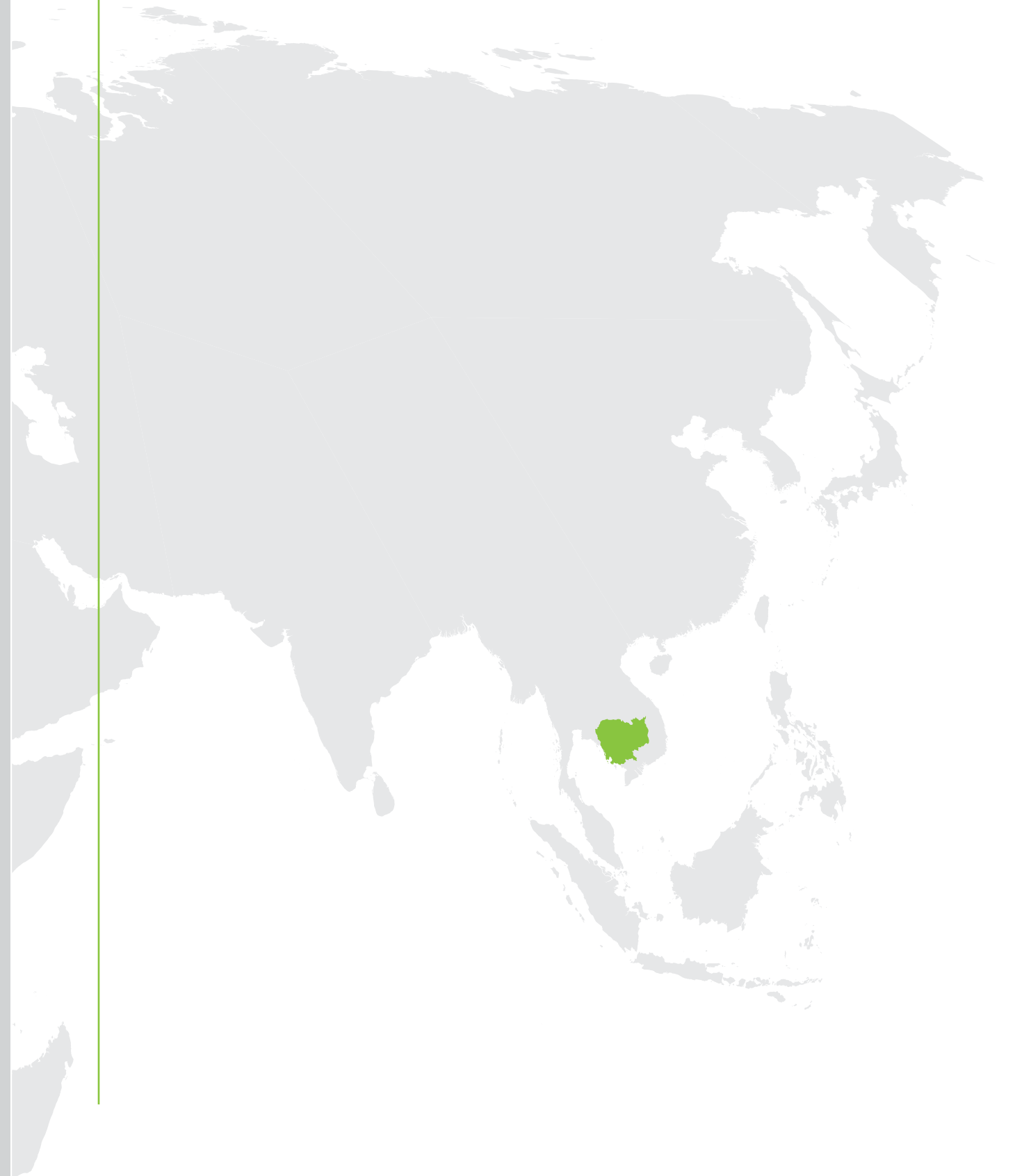
*Testimony of Witness M. Lefevre in Case 001*

ESTIMATED NUMBER KILLED:  
**1.7 MILLION**

ESTIMATED PROPORTION OF  
THE POPULATION KILLED  
IN 3.5 YEARS:  
**MORE THAN  
ONE FIFTH**

**ECCC**

## EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA



LOCATED IN PHNOM PENH, CAMBODIA

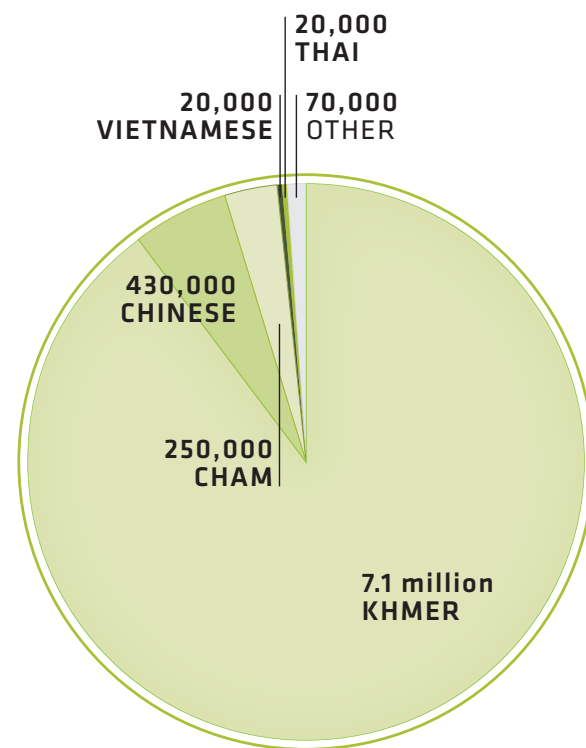
# EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

## OVERVIEW OF UNDERLYING CONFLICT

The ECCC was created in 2005 through an agreement between Cambodia and the UN to prosecute the surviving senior leaders of the Khmer Rouge and those most responsible for the atrocities committed during the Khmer Rouge period.

The Khmer Rouge ruled Cambodia from April 17, 1975, to January 6, 1979, a relatively short period considering the lasting devastation that the regime inflicted upon the country and its people. At least 1.7 million Cambodians, or approximately one fifth of the entire population, are estimated to have died during the Khmer Rouge regime due to execution, overwork, starvation, and disease.

The Khmer Rouge actively sought to destroy the fabric of Cambodian social life in order to transform the traditional, family-centered society into a state-centered, self-supporting communist model. The Khmer Rouge tore families apart, arranged mass marriages, destroyed pagodas, and defrocked Buddhist monks. Cambodians suffered through intense forced labor and widespread famine, all the while enduring the continuous threat of violence and death. The Khmer Rouge established extermination camps, including the notorious S-21 security center, where upwards of 12,000 men, women and children were systematically interrogated, tortured and executed. In addition to the profound human toll brought about by their policies,



### CAMBODIA

Total Estimated Population, 1975:  
**7,890,000**

the Khmer Rouge destroyed much of Cambodia's civil infrastructure, including the judicial system. Only six to ten lawyers are estimated to have survived the era.

Khmer Rouge forces fled Phnom Penh in 1979, in the face of a Vietnamese military offensive. Armed conflict continued in Cambodia throughout the 1980s as various factions, including those of the remaining Khmer Rouge, battled the Vietnamese-backed government. Following the 1991 Paris Peace Accords, national elections were held in Cambodia under UN supervision. In 1997, the Cambodian government requested UN assistance in prosecuting former

Khmer Rouge leaders. Several years of fraught negotiations ensued between Cambodia and the UN before the ECCC was ultimately established in 2005.



MAP OF CAMBODIA

- provincial capital
- national capital

1975

1976

1977

1978

1979

DOMESTIC EVENTS

MARCH 1970 - APRIL 1975

Following a military coup by General Lon Nol against King Sihanouk in 1970, Cambodia suffers through a bloody civil war, which opposes the US-backed General against an uneasy alliance of Communist Khmer Rouge and pro-royalist forces.

17 APRIL 1975

Khmer Rouge forces capture Phnom Penh. Pol Pot and the Khmer Rouge leadership forcibly relocate 2 million Cambodians from urban centers to the countryside. Reprisals against Lon Nol supporters are swift and all those "corrupted" by foreign influences are increasingly viewed with suspicion by the regime.

MARCH 1976

Secret directive from Khmer Rouge leaders is issued that details which internal groups are responsible for executing which perceived enemies.

AUGUST 1975

Initial meetings are conducted to establish S-21, the infamous execution camp in Phnom Penh, where upwards of 12,000 individuals were systematically interrogated, tortured and executed.

FALL/WINTER 1976

Purges within the Khmer Rouge's own ranks intensify. S-21 receives an ever larger influx of prisoners.

EARLY 1977

As borders clashes between Cambodia and Vietnam escalate, China sends large quantities of arms to support the Khmer Rouge against Russian-backed Vietnamese troops.

1977 AND 1978

Famine grips large parts of Cambodia. By 1979, more than one fifth of the entire Cambodian population will have died due to execution, overwork, disease and starvation.

DECEMBER 1977

Cambodia severs diplomatic relations with Vietnam. The Khmer Rouge intensify its increasingly paranoid internal purges.

JANUARY 1979

With Vietnamese forces moving toward Phnom Penh, Khmer Rouge execute all but a handful of remaining S-21 detainees.

JANUARY 1979

Khmer Rouge forces abandon Phnom Penh to advancing Vietnamese forces but will continue to wage a civil war against the Vietnamese supported government until the 1990s.

INTERNATIONAL RESPONSE

APRIL 1975

Following the Khmer Rouge's capture of Phnom Penh, the foreign presence is reduced to virtually nothing and Cambodia is sealed off from most of the outside world for the next 3.5 years.

SUMMER 1975

An exodus of civilians of Vietnamese origin residing in Cambodia flee to South Vietnam.

1976

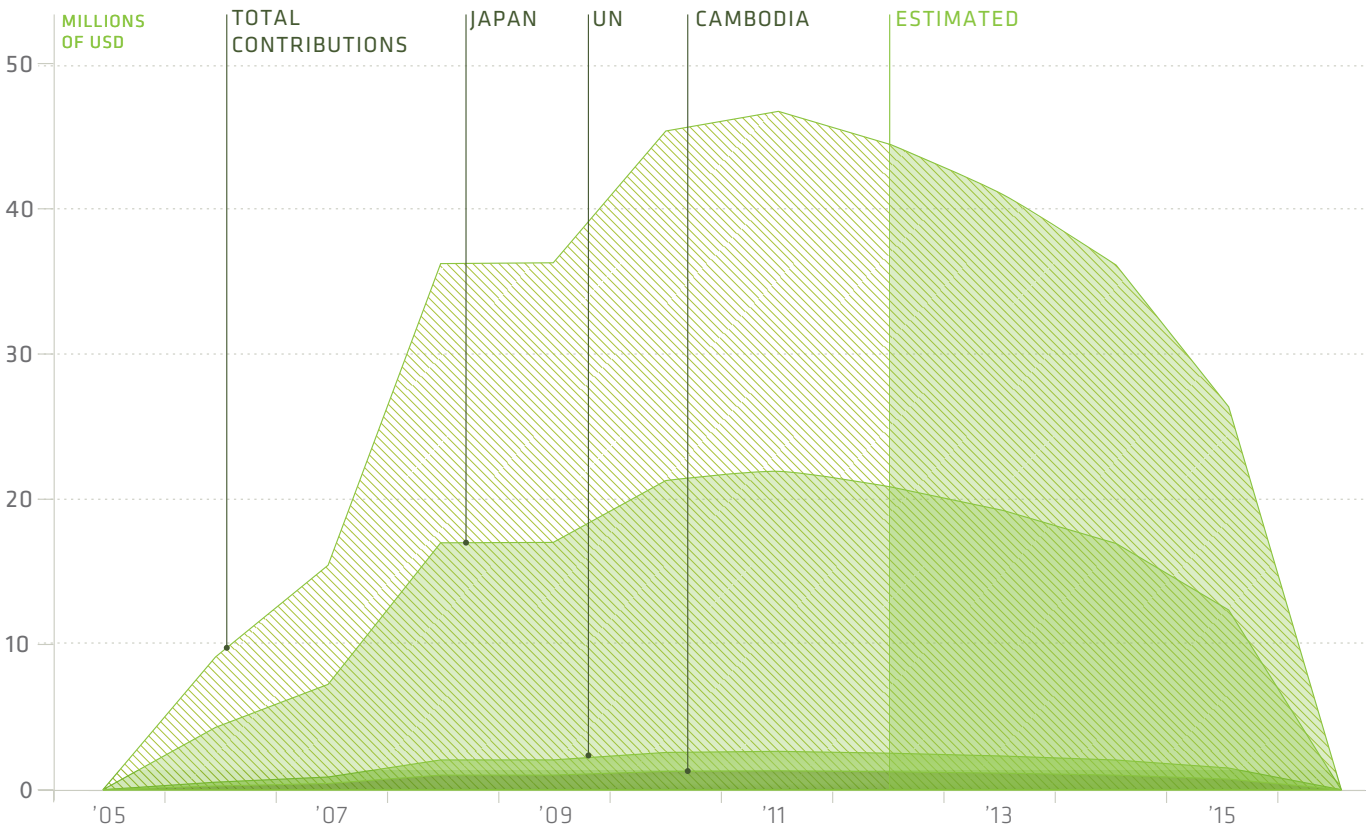
Reports from Cambodian refugees escaping into camps on the Thai border describe brutal living conditions and mass exterminations of "class enemies".

1977

The international community continues to fail to have any concerted response to the slaughter in Cambodia.

1979

Caught in a Cold War mentality, the UN refuses to recognize the new Vietnamese-supported government in Phnom Penh. Despite the death of upwards of 1.7 million people under the Khmer Rouge, the UN will instead continue to recognize the exiled Khmer Rouge government as the official Cambodian representatives until the 1990s.



TRIBUNAL INFORMATION

Sitting in Phnom Penh, Cambodia, the ECCC was created through an agreement between Cambodia and the UN. The ECCC has jurisdiction over international crimes, namely crimes against humanity, genocide and war crimes, as well as crimes under Cambodian law that were committed by senior leaders of the Khmer Rouge and those most responsible for these crimes during the period from 17 April 1975 to 6 January 1979.

The judicial chambers of the ECCC are modeled on the Cambodian civil law system and consist of a Pre-Trial Chamber (3 Cambodian + 2 International Judges), a Trial Chamber (3 Cambodian + 2 International Judges), and a Supreme Court Chamber

(4 Cambodian + 3 International Judges), as well as two Co-Investigating Judges (1 Cambodian + 1 International Judge) and two Co-Prosecutors (1 Cambodian + 1 International Prosecutor).

Similarly to the SCSL, the ECCC is commonly referred to as a hybrid tribunal given its blend of international and domestic components.

TOTAL ESTIMATED COST OF ECCC

\$337,850,800

DATE OF FIRST ECCC INDICTMENT

18 JULY 2007

FIRST ECCC INDICTEES

Kaing Guek Eav, Khieu Samphan, Nuon Chea, Ieng Sary and Ieng Thirith

INDICTMENTS ISSUED

5

average of 1 per year

ONGOING PROCEEDINGS

THREE INDIVIDUALS

One of the four defendants brought to trial in Case 2 was found unfit to stand trial. No named suspects in Cases 3 and 4.

PLEADED GUILTY

ZERO

In keeping with the Cambodian civil law system, the ECCC does not formally allow for guilty pleas.

INDICTMENTS REFERRED TO NATIONAL JURISDICTIONS

ZERO

INDICTEES STILL AT LARGE

ZERO

NUMBER OF COUNTRIES WHERE CONVICTED PERSONS ARE SERVING THEIR SENTENCES

ONE

Cambodia




INDIVIDUALS WITH FINAL CONVICTIONS










ONE













Kaing Guek Eav (alias "Duch")

In addition to the conviction against Duch, and the ongoing trial proceedings against the defendants in Case 2, preliminary investigations were started against unnamed suspects in Cases 3 and 4. Proceedings in Cases 3 and 4, which have proven highly contentious within the ECCC, are ongoing .



PROCEDURES BEFORE THE ECCC ARE LARGELY DERIVED FROM CAMBODIA'S civil legal system and differ substantially from those of the other international criminal tribunals. The ECCC Law and the ECCC's Internal Rules and Regulations outline the procedures applicable to cases brought before the tribunal. Under these documents, the Co-Prosecutors have broad discretion to initiate preliminary investigations against individuals suspected of crimes that are within the parameters of the ECCC's jurisdiction. If there is sufficient preliminary evidence, the Co-Prosecutors file an Introductory Submission with the Co-Investigating Judges , who are tasked with carrying out a judicial investigation into the factual and legal allegations set out in the Introductory Submission. During their initial appearance before the Co-Investigating Judges , suspects are notified of the allegations against them. At the conclusion of the judicial investigation, the Co-Investigating Judges either file a formal indictment (known as a Closing Order) against a defendant , or dismiss the proceedings. Disagreements between the Co-Prosecutors or the Co-Investigating Judges, as well as appeals of orders from the Co-Investigating Judges, are settled by the Pre-Trial Chamber.

Following the issuance of a Closing Order by the Co-Investigating Judges, the case proceeds to trial, at the conclusion of which the Trial Chamber issues a Trial Judgment , which determines the defendant's guilt  or innocence (in which case they are released ). Notably, victims can be formally joined to the proceedings as Civil Parties, which confers upon them certain procedural rights, including the right to seek collective and moral reparations. The Trial Chamber's determinations, including those regarding reparations, can be appealed to the Supreme Court Chamber, which, following an appeals hearing, issues an Appeals Judgment  affirming, reversing or revising the Trial Judgment. Defendants still in custody who are acquitted on appeal are released . Defendants whose Trial Judgment convictions are affirmed and/or who are convicted on appeal  are transferred to a Cambodian detention facility to serve out the remainder of their sentence. Proceedings against these convicted defendants come to a close once they are released . More generally, proceedings against a defendant before the ECCC may also be terminated where the indictment is withdrawn  or where the defendant dies .

SYMBOL KEY	
	INTRODUCTORY SUBMISSION
	INITIAL APPEARANCE
	FORMALINDICTMENT(CLOSINGORDER)
	TRIAL JUDGMENT
	TRIAL CONVICTION
	FOUND INNOCENT AT TRIAL
	APPEAL JUDGMENT
	APPEAL CONVICTION
	FOUND INNOCENT ON APPEAL
	INDICTMENT WITHDRAWN
	DEATH OF DEFENDANT
	RELEASE FROM CUSTODY

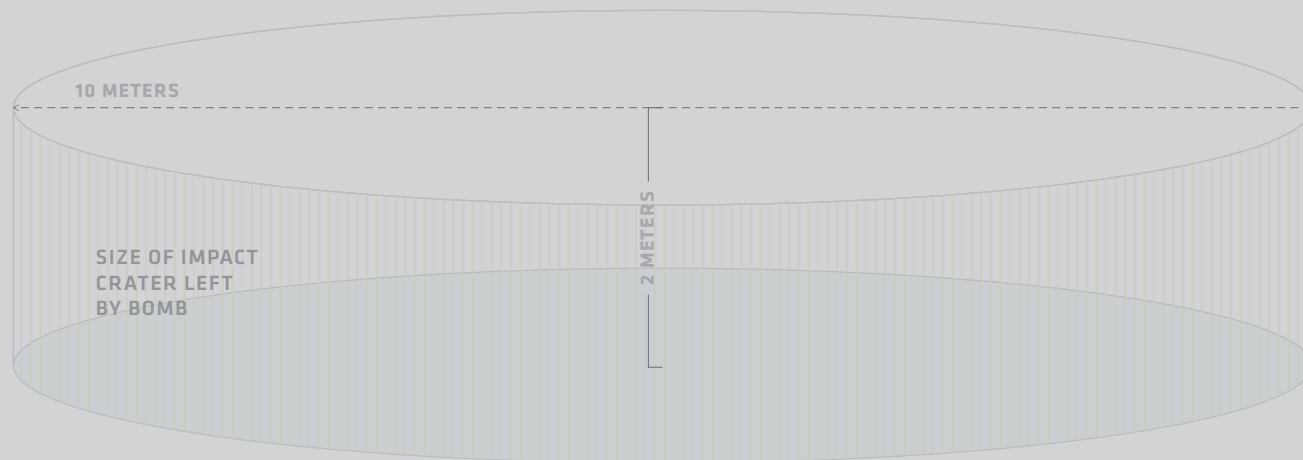




NUMBER OF  
LIVES LOST

“The Security Council unequivocally condemns the 14 February 2005 terrorist bombing in Beirut, Lebanon, that killed former Lebanese Prime Minister Rafiq Hariri and others and caused serious injury to dozens of people ... The Security Council expresses its deepest sympathy and condolences to the people and Government of Lebanon and to the victims and their families.”

*Security Council Statement of 15 February 2005*



SIZE OF IMPACT  
CRATER LEFT  
BY BOMB

STL

## SPECIAL TRIBUNAL FOR LEBANON



LOCATED IN THE HAGUE, THE NETHERLANDS

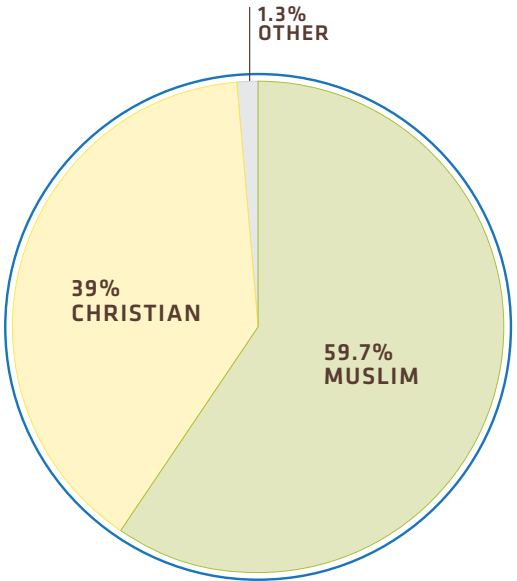
# SPECIAL TRIBUNAL FOR LEBANON

## OVERVIEW OF UNDERLYING CONFLICT

The STL was created in 2007 by the UN Security Council under Chapter VII of the UN Charter, in response to Lebanon's request for assistance in prosecuting those accused of carrying out a terrorist attack on 14 February 2005 in Beirut. The attack killed 23 people, including the target of the bombing the former Lebanese Prime Minister Rafiq Hariri.

An investigation carried out shortly after the 14 February 2005 attack implicated individuals with ties to the Syrian government. Syria exercised substantial control over Lebanese politics as a result of its continued military presence in the country. In the months following the attack, hundreds of thousands of Lebanese citizens gathered to protest Syria's presence in Lebanon, while more attacks on anti-Syrian journalists and politicians ensued. In response to demands from the UN, Syria finally announced the withdrawal of its military forces from Lebanon in April 2005.

The STL was created through close consultation between Lebanon and the UN. Following the 14 February 2005 attack, the UN secretary-general sent a fact-finding mission to Beirut to enquire into its causes, circumstances and consequences. In April 2005, the UN Security Council established the UN International Independent Investigation Commission (UNIIC) to gather evidence and to assist the Lebanese authorities in their own investigations.



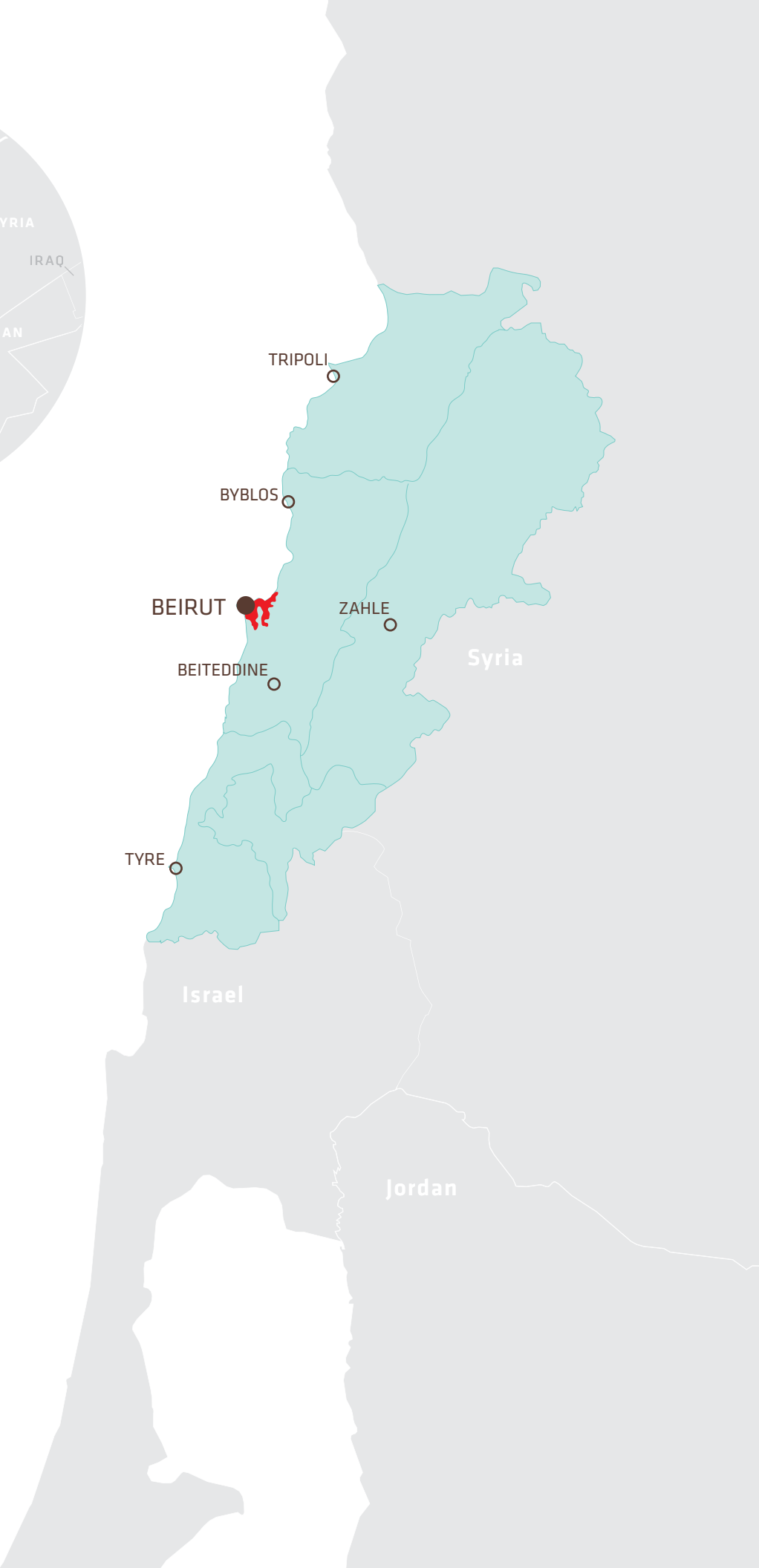
**LEBANON**  
Total Population in 2005:  
**3,826,018**

On 13 December 2005, following a series of other killings and bombings in Lebanon, the Lebanese government requested that the UN create a criminal tribunal of "an international character." On 23 January 2007, the UN and the Lebanese government signed an agreement to create the STL. The agreement was given to the Lebanese parliament for ratification but its speaker refused to convene the body to hold the necessary vote. The Lebanese government sent a petition to the UN Secretary General requesting that the UN Security Council form the STL, which it did via Resolution 1757. The STL's mandate includes the 14 February 2005 attack and any connected attacks that may have occurred in Lebanon between 1 October 2004 and 12 December 2005.



**MAP OF LEBANON**

- provincial capital
- national capital



## DOMESTIC EVENTS

OCTOBER 2004

Lebanese prime minister Rafik Hariri resigns following Syrian interference in Lebanon's political affairs. Syria continues to maintain a military force in Lebanon and exert influence over its government.

14 FEBRUARY 2005

A large explosion in Beirut kills 23 people, including former Lebanese prime minister Rafik Hariri, and injures many others.

APRIL 2005

Following large anti-Syria protests in Beirut and in response to demands from the UN, Syria withdraws its military forces from Lebanon.

13 DECEMBER 2005

Following a series of other killings of anti-Syrian figures in Lebanon, Lebanese government requests that the UN create an international tribunal.

FALL 2005

Lebanese authorities carry out domestic investigation, which results in the arrest of four Lebanese generals, along with the indictment of Syrian figures. In 2009, the four generals are freed by order of the STL.

JANUARY 2007

Lebanon and the UN sign an agreement for the creation of the STL, which is given to Lebanese parliament for ratification.

JANUARY 2007

Speaker of Lebanese parliament refuses to convene the body to vote on ratification. Instead, Lebanese government requests that the UN Security Council directly form the STL under its UN Charter powers.

## INTERNATIONAL RESPONSE

FEBRUARY 2005

UN Security Council denounces attack in Beirut. UN Secretary General sends fact-finding mission to Lebanon, which recommends an international investigation to identify the perpetrators.

7 APRIL 2005

UN Security Council establishes UN International Independent Investigation Commission (UNIIIC) primarily to investigate 14 February 2005 attack.

MARCH 2006

UN Secretary General given mandate to negotiate with Lebanon about tribunal. UNIIIC delivers third report to UN.

JANUARY 2007

Lebanon and UN sign agreement for STL

DECEMBER 2005

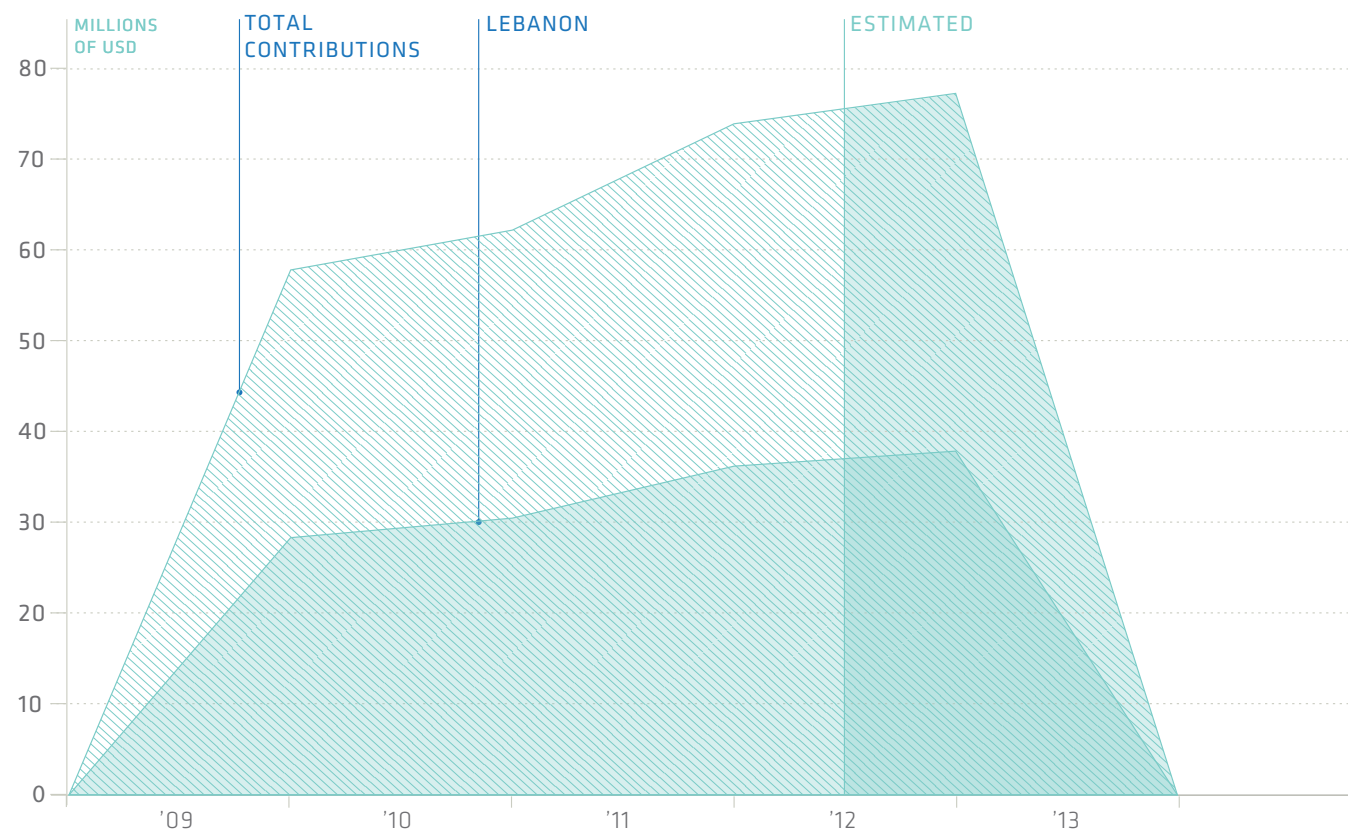
UN Security Council acknowledges request from Lebanon to form international tribunal. UNIIIC delivers second report to UN.

MAY 2007

UN Security Council establishes STL to prosecute perpetrators of 14 February 2005 attack and related crimes in Lebanon between October 2004 and December 2005.

## SPECIAL TRIBUNAL FOR LEBANON

STL ANNUAL CONTRIBUTIONS, 2009 - 2013



## TRIBUNAL INFORMATION

Sitting right outside The Hague, The Netherlands, the STL was created by the UN Security Council under Chapter VII of the UN Charter. The STL's jurisdiction is limited to crimes under domestic Lebanese law, including acts of terrorism, related to the 14 February 2005 attack that killed former Lebanese prime minister Rafiq Hariri or any connected attacks that may have occurred in Lebanon between 1 October 2004 and 12 December 2005.

The judicial chambers of the STL consist of a Pre-Trial Chamber (1 international judge), a Trial Chamber (2 international + 1 Lebanese judge), and an Appeals Chamber (3 International + 2 Lebanese judges).

In addition to the case regarding the 14 February 2005 attack, which is being tried against four at large indictees in absentia, the STL has established jurisdiction over three other connected attacks.

## TOTAL CURRENT COST OF STL

**\$241,097,507**

## DATE OF FIRST STL INDICTMENT

**28 JUNE 2011**

## FIRST STL INDICTEES

**Salim Jamil Ayyash, Mustafa  
Amine Badreddine, Hussein  
Hassan Oneissi, Assad Hassan  
Sabra**

## INDICTMENTS ISSUED

**4**

average of 0.8 per year

## ONGOING PROCEEDINGS

**FOUR INDIVIDUALS**

## PLEADED GUILTY

**ZERO**INDICTMENTS REFERRED TO  
NATIONAL JURISDICTIONS**ZERO**

## INDICTEES STILL AT LARGE

**FOUR**

In keeping with the unique procedures before the STL, the four at large indictees are being tried in absentia.



NUMBER OF COUNTRIES WHERE  
CONVICTED PERSONS ARE SERVING  
THEIR SENTENCES**ZERO**






## INDIVIDUALS WITH FINAL CONVICTIONS



**ZERO**
















THE STL'S STATUTE AND RULES OF PROCEDURE AND EVIDENCE outline the procedures applicable to cases brought before the tribunal. Under these documents, the Prosecutor has broad discretion to initiate investigations and to indict individuals suspected of crimes that are within the parameters of the STL's jurisdiction.

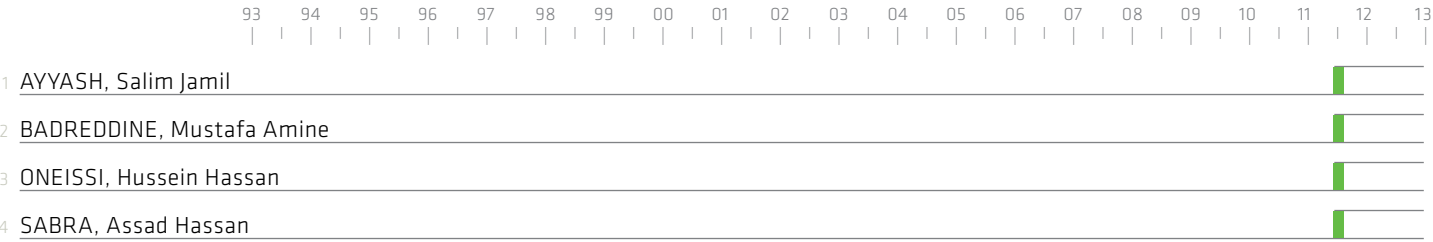
Formal charges against a defendant  are marked by the confirmation of an indictment by a pre-trial judge. Following their arrest or voluntary surrender, defendants then appear before the STL  where they enter a plea of guilty or not guilty on each count of the indictment against them. In keeping with the unique procedures before the STL, defendants may also be tried in absentia.

A case will then proceed to trial, at the conclusion of which the Trial Chamber will issue a Trial Judgment  which determines the defendant's guilt  or innocence (in which case they are released ). The Trial Chamber's determinations can be appealed to the Appeals Chamber, which, following an appeals hearing, issues an Appeals Judgment  affirming, reversing or revising the Trial Judgment. Defendants still in custody who are acquitted on appeal are released .

Defendants whose Trial Judgment convictions are affirmed and/or who are convicted on appeal  would typically be transferred to serve out the remainder of their sentence in one of the domestic jurisdictions that has signed an agreement with the STL. Proceedings against these convicted defendants close once they are released  either through early release or after serving out the entirety of their sentence.

More generally, proceedings against defendants before the STL may be terminated if their indictment is withdrawn or if their case is referred to a competent national jurisdiction , and where a defendant dies .

SYMBOL KEY	
	FORMAL CHARGES
	INITIAL APPEARANCE
	TRIAL JUDGMENT
	TRIAL CONVICTION
	FOUND INNOCENT AT TRIAL
	APPEAL JUDGMENT
	APPEAL CONVICTION
	FOUND INNOCENT ON APPEAL
	INDICTMENT WITHDRAWN OR REFERRED TONATIONAL JURISDICTION
	DEATH OF DEFENDANT
	RELEASE FROM CUSTODY



“There was a mother that came [to the army camp.] For days she was crying at the camp's entrance. We had to chase her away. She kept on saying, ‘Give me back my son, he's only age 12.’”

*Witness P-0017 - Thomas Lubanga Dyilo Trial, testimony on 27 March 2009*

DEMOCRATIC REPUBLIC OF THE CONGO  
**5.4 MILLION**  
ESTIMATED DEATHS

DARFUR  
**300,000**

LIBYA 12,500  
IVORY COAST 3,000  
UGANDA 2,300  
CENTRAL AFRICAN REPUBLIC >1,000

ICC

INTERNATIONAL CRIMINAL COURT



# INTERNATIONAL CRIMINAL COURT

## OVERVIEW OF UNDERLYING CONFLICT

The ICC was established as a permanent international criminal tribunal through a multilateral treaty, the Rome Statute, which entered into force on 1 July 2002.

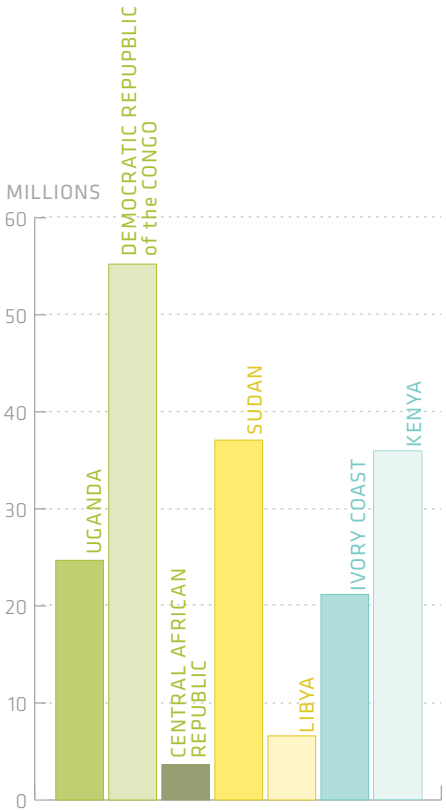
Unlike the so-called international ad hoc (ICTY, ICTR) or hybrid (SCSL, ECCC, STL) criminal tribunals, which were established in response to a particular conflict or event, the ICC was established to prosecute international crimes in future “situations” (to use the ICC term). Crimes committed before 1 July 2002 are therefore not within the ICC’s mandate.

Pursuant to the Rome Statute, situations can be brought before the ICC in one of three ways. The ICC Prosecutor can initiate an investigation of a situation on the basis of (1) a referral from any State Party to the ICC, including a self-referral or (2) a referral from the UN Security Council acting under Chapter VII of the UN Charter. In addition, the ICC Prosecutor can (3) initiate investigations of her own accord, subject to various procedural safeguards, on the basis of information received from individuals or organizations. Once one of these three “triggering” mechanisms has been invoked, the ICC must assure itself that it has jurisdiction over the crimes alleged and the situation at issue. Currently, the ICC can prosecute the international crimes of genocide, crimes against humanity and war crimes, and, after 2017, potentially the crime of aggression. Further, the ICC may only exercise jurisdiction over a

situation where either: a) these crimes were committed by a national of a State Party to the ICC; b) these crimes were committed on the territory of a State Party to the ICC; c) the situation was referred to the ICC by the UN Security Council; or, d) a Non-State Party accepts the jurisdiction of the ICC.

As of January 2013, there were eight situations before the ICC, all of which concerned countries in Africa. Four of these situations were self-referred by ICC State Parties (Uganda, the Democratic Republic of the Congo, the Central African Republic and Mali), two situations were referred by the UN Security Council (Darfur and Libya), and another two situations were initiated proprio motu by the ICC Prosecutor (Ivory Coast and Kenya).

Within each broad situation, there may be a number of specific cases brought against one or more defendants. While the history of the conflicts in these eight situations is too varied to summarize here, a timeline highlighting key dates is provided for each situation in the following pages. Information regarding the situation in Mali is not included given the recent official announcement of an investigation.



### Population Estimates:

UGANDA (2002):
24,699,073
DRC (2002):
55,225,478
CENTRAL AFRICAN REPUBLIC (2002):
3,642,739
SUDAN (2002):
37,090,298
LIBYA (2011):
6,597,960
IVORY COAST (2010):
21,058,798
KENYA (2007):
36,913,721



### MAP OF ICC JURISDICTIONAL TRIGGERS

- ICC State Party Referral
- UN Security Council Referral
- ICC Office of the Prosecutor Proprio Motu Investigation

## CENTRAL AFRICAN REPUBLIC

### OCTOBER 2002

CAR army officials attempt to overthrow President Patassé, prompting forces loyal to the President, including those led by Jean-Pierre Bemba, to fight and retaliate.

### OCTOBER - NOVEMBER 2002

During the armed conflict, forces under Mr. Bemba's command reportedly commit widespread and systematic crimes against civilians, including rape, pillaging and murder.

### MARCH 2003

Forces loyal to François Bozizé, former Chief-of-Staff of the CAR armed forces, overthrow the Patassé government.

### FEBRUARY - MARCH 2003

Intense fighting continues with reports of crimes against civilians still widespread.

### DECEMBER 2004

CAR self-refers its Situation to the ICC for crimes committed in its territory since July 2002.

### APRIL 2006

CAR's highest court determines that national authorities are unable to carry out necessary criminal proceedings for the referred crimes

### MAY 2007

ICC opens formal investigation into Situation in CAR, the first in which allegations of sexual crimes far outnumber alleged killings.

## UGANDA

### MARCH 2002

Following years of armed conflict, Ugandan army launches military campaign, with Sudanese consent, to destroy the Lord's Resistance Army (LRA), which is operating out of Southern Sudan.

### SPRING - SUMMER 2002

LRA flees from Sudan back into Northern Uganda where it begins more wide-scale abductions, killings and looting.

### DECEMBER 2003

President of Uganda self-refers Situation in Uganda to ICC.

### FEBRUARY 2004

LRA massacres 330 people at an internally displaced persons camp in Lira District.

### DECEMBER 2002

Following the LRA's return to Uganda, the number of internally displaced persons doubles to 800,000.

### JULY 2004

ICC opens formal investigation into Situation in Uganda for crime committed in its territory since July 2002.

### SEPTEMBER 2005

LRA begins relocating its forces into the Democratic Republic of the Congo.

### DECEMBER 2005

1.67 million people are estimated internally displaced across northern and eastern Uganda as the armed conflict continues.

## DEMOCRATIC REPUBLIC OF THE CONGO

### MAY 1997

Following a 9 month war, Laurent Kabila takes power and renames Zaire the Democratic Republic of Congo (DRC).

### AUGUST 2002

Renewed violence flares up, particularly in Ituri, with crimes against civilians widespread.

### JUNE 2004

ICC opens formal investigation into Situation in DRC.

### SUMMER 1997

Kabila tries to evict from the DRC the Rwandan and Ugandan troops that supported him during the war, which causes them to throw their support behind opposition rebel groups.

### MARCH 2004

DRC self-refers its Situation to the ICC for crime committed in its territory since July 2002. The ongoing DRC conflict is estimated to be the deadliest since WWII.

### 1998

Rebel groups supported by Rwanda and Uganda attack DRC forces, which are backed by Angola, Chad, Namibia and Zimbabwe. Rebel groups proliferate throughout the DRC.

### JANUARY 2001

President Kabila is assassinated and succeeded by his son Joseph Kabila. By this time, there are at least 10 conflicts in the DRC involving 9 national armies and 19 irregular armed forces.

## DARFUR

### ICC

#### LATE 2002

Rebel groups mount activities against the Sudanese government, which they view as oppressing non-Arab Sudanese in favor of Arab Sudanese.

#### 2003 AND 2004

As part of counterinsurgency, government forces and the Janjaweed carry out attacks throughout Sudan against civilians, particularly the Fur, Masalit and Zaghawa.

#### APRIL 2003

Rebel groups launch a series of attacks against government installations, including the El Fashir military airport.

#### SPRING 2003

Government calls on local tribes to aid in repelling the rebels. Recruits from Arab nomadic tribes, known as the Janjaweed join the conflict against the rebels.

#### JUNE 2005

ICC opens formal investigation into Situation in Darfur.

#### MARCH 2005

UN Security Council refers the Situation in Darfur to ICC for crimes committed on its territory since July 2002.

#### JULY 2008

Fleeing the attacks against villages throughout Sudan, close to 2.5 million civilians are estimated to now live in internally displaced persons camps.

## LIBYA

#### EARLY 2011

Following protests in Tunisia and Egypt, peaceful protests take place in Libya.

#### 15 FEBRUARY 2011

The arrest of human rights activist Fethi Tarbel starts a riot in Benghazi with government forces firing on the crowd.

#### MID-LATE FEBRUARY 2011

Conflict escalates as anti-government forces take control of areas across Libya. Government uses brutal force to quash uprisings, killing and imprisoning civilians perceived to be opposed to the regime.

#### 26 FEBRUARY 2011

UN Security Council refers Situation in Libya to ICC for crimes committed on its territory from February 15, 2011 to at least February 28, 2011.

#### 3 MARCH 2011

ICC opens a formal investigation into Situation in Libya.

#### 17 MARCH 2011

UN Security Council authorizes the international community to establish a no-fly zone and to use all means necessary, short of foreign occupation, to protect civilians in Libya.

#### 31 MARCH 2011

NATO takes command of the ongoing military intervention in Libya.

#### AUGUST 2011

Rebel forces launch a major offensive and take Tripoli.

## KENYA

#### DECEMBER 2007

Violence breaks out following the re-election of President Kibaki over his opponent Raila Odinga.

#### JANUARY 2008

Supporters of Raila Odinga attack perceived supporters of President Kibaki which prompts a wave of retaliatory attacks. Both waves of attack are carried out with the support of political and ethnic groups and cause mass displacement of civilians.

#### FEBRUARY 2008

ICRC estimates that over 300,000 have been displaced as result of post-election violence.

#### MARCH 2010

ICC Pre-Trial Chamber grants Prosecutor request to formally open an investigation into the post-election violence in Kenya in 2007-2008.

#### NOVEMBER 2009

ICC Prosecutor submits a request to formally open investigation into the Situation in Kenya.

## IVORY COAST

#### NOVEMBER 2010

Presidential run-off is held between Alassane Ouattara and the incumbent President Laurent Gbagbo. Though Ouattara appears to have won, President Gbagbo refuses to cede power.

#### DECEMBER 2010 - MAY 2011

Pro-Gbagbo forces launch a campaign of attacks against civilians perceived to be Ouattara supporters in Abidjan and the West of the country.

#### JANUARY - FEBRUARY 2011

Pro-Ouattara forces organize reprisal attacks against Gbagbo supporters.

#### MARCH 2011

UN Security Council calls for Gbagbo to cede power to internationally-recognized President Ouattara.

#### APRIL 2011

UN and French troops carry out air strikes on pro-Gbagbo military sites. Pro-Ouattara storm Gbagbo's residence and arrest him.

#### JUNE 2011

ICC Prosecutor submits a request to formally open investigation into the Situation in Ivory Coast. One million people are estimated displaced because of the post-election violence.

#### OCTOBER 2011

ICC Pre-Trial Chamber grants Prosecutor request to formally open investigation into the post-election violence in Ivory Coast in 2010-2011.

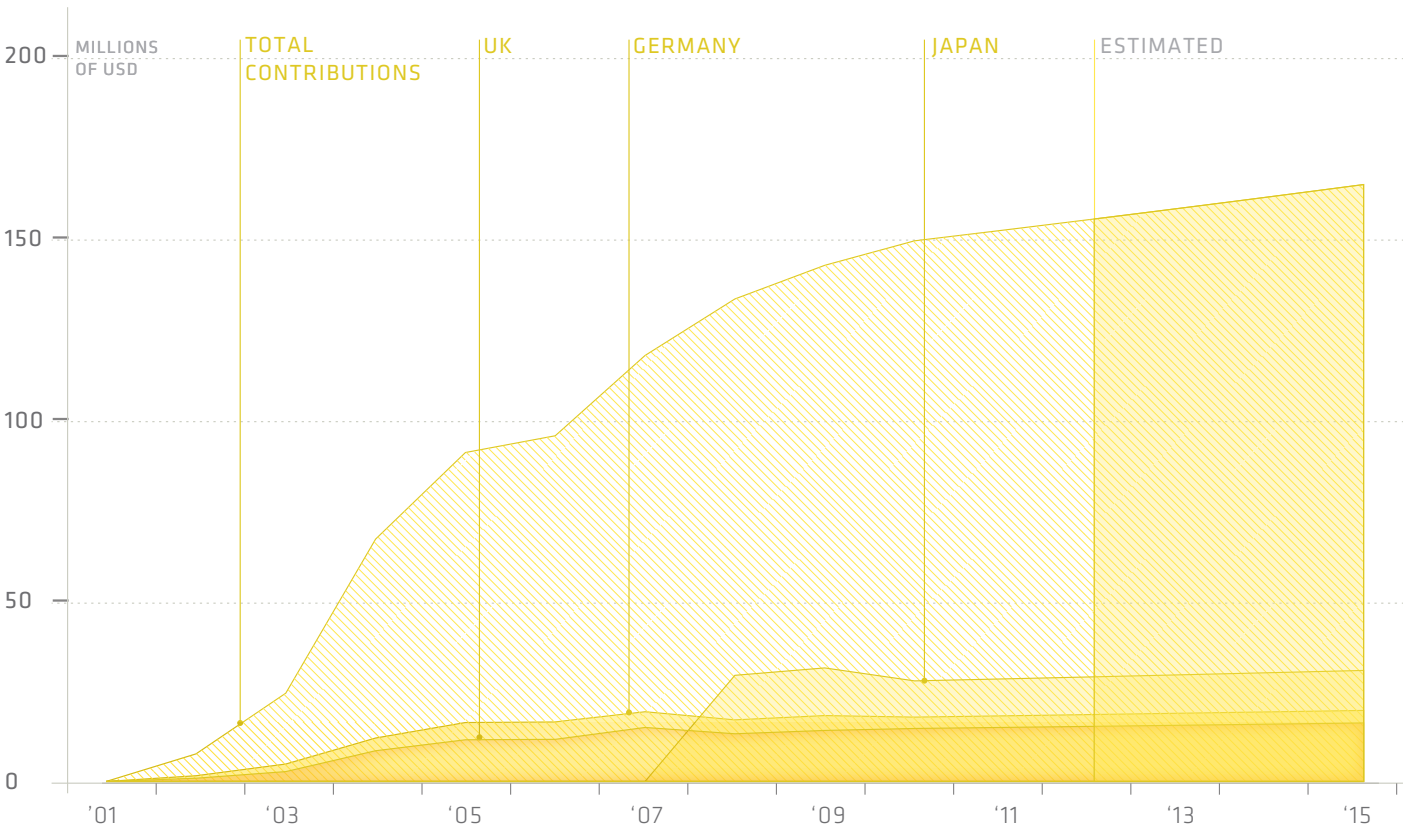


ICC

CREATED PURSUANT TO INTERNATIONAL TREATY WHICH ENTERED INTO FORCE IN 2002

INTERNATIONAL CRIMINAL COURT

ICC ANNUAL CONTRIBUTIONS, 2002 - 2015

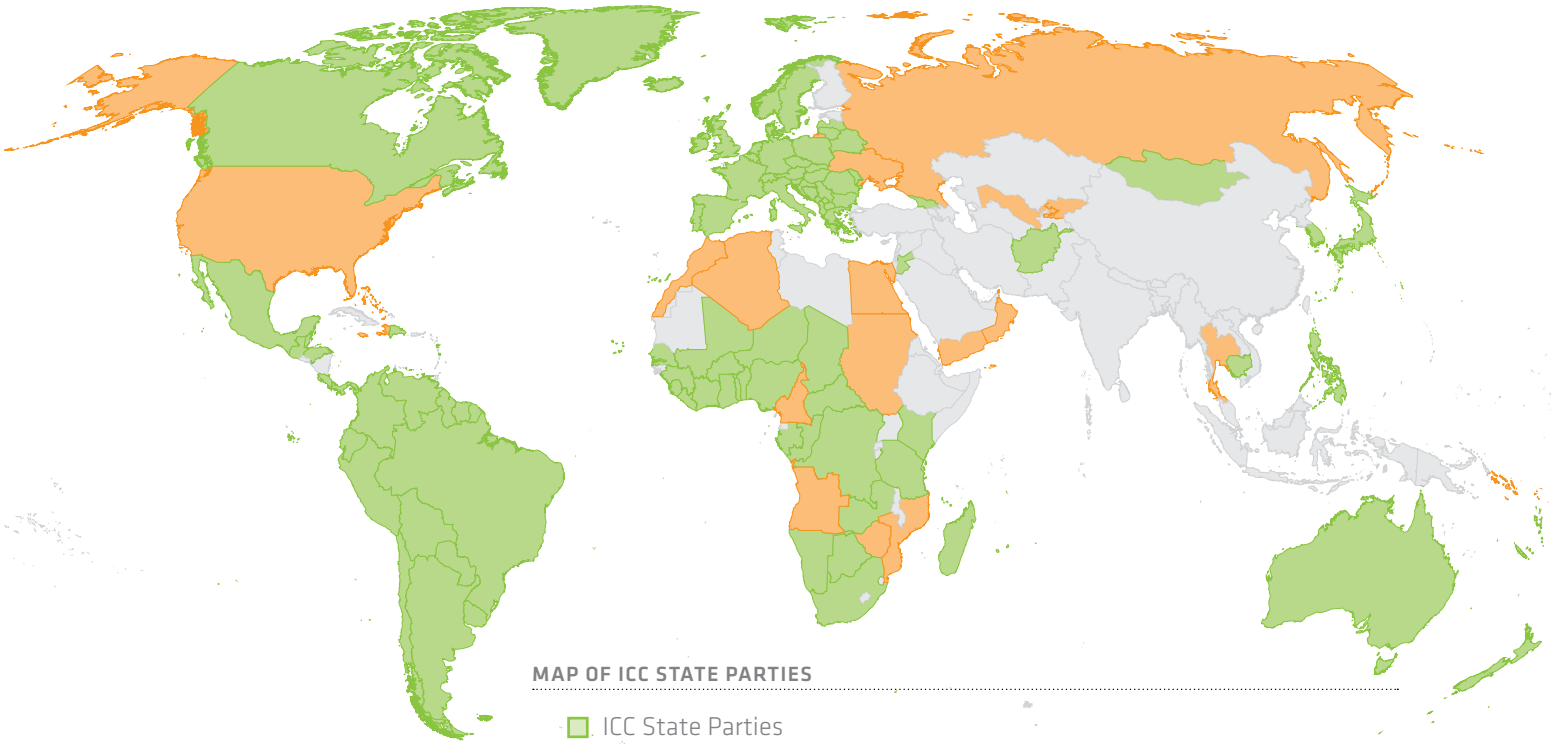


TRIBUNAL INFORMATION

Sitting at The Hague, The Netherlands, the ICC was established through a multilateral treaty, which entered into force on 1 July 2002. To date, 121 countries are State Parties to the ICC, though a number of notable countries have not ratified the Rome Statute, including China, India, Israel, Russia and the United States.

The ICC currently has jurisdiction over crimes against humanity, genocide and war crimes, and, after 2017, potentially the crime of aggression. The ICC is complementary to national criminal jurisdictions and must defer to national systems unless they are unwilling or unable genuinely to investigate or prosecute a crime that otherwise would be under the ICC's jurisdiction.

The judicial chambers of the ICC, which consist of a Pre-Trial Division, a Trial Division and an Appeals Division, are made up of international judges. Designed to function as a permanent tribunal, the ICC will continue to operate following the conclusion of the other international criminal tribunals' more limited mandates.



ESTIMATED COST OF ICC (2002-2015)

**\$1,616,202,054**

FIRST ICC ARREST WARRANTS ISSUED

**8 JULY 2005**

FIRST ICC WANTED PERSONS

**Joseph Kony, Vincent Otti, Okot Odhiambo, Dominic Ongwen, Raska Lukwiya**

ARREST WARRANTS/SUMMONS

**30**

average of 3 per year

ONGOING PROCEEDINGS

**TWENTY FOUR INDIVIDUALS**

PLEADED GUILTY

**NONE**

WANTED PERSONS STILL AT LARGE

**THIRTEEN**

INDIVIDUALS WITH FINAL CONVICTIONS

**ZERO**

Thomas Lubanga Dyilo was found guilty of committing war crimes and sentenced to 14 years of imprisonment by Trial Chamber I. His conviction is now on appeal.



NUMBER OF COUNTRIES WHERE CONVICTED PERSONS ARE SERVING THEIR SENTENCES









**NONE**




Thomas Lubanga Dyilo is being detained in The Hague pending his appeal.

THE ICC'S STATUTE AND ITS RULES OF PROCEDURE AND EVIDENCE outline the procedures applicable to situations brought before the Court. Pursuant to the Rome Statute, situations can be brought before the ICC in three ways.

The ICC Prosecutor can initiate an investigation of a situation on the basis of (1) a referral from any ICC State Party, including a self-referral or (2) a referral from the UN Security Council under its Chapter VII of the UN Charter powers. In addition, the ICC Prosecutor can (3) initiate investigations of her own accord, subject to various procedural safeguards, on the basis of information received from individuals or organizations.

Once an investigation is properly underway, the Prosecutor investigates all facts and evidence relevant to an assessment of criminal responsibility. Where the Prosecutor concludes there are reasonable grounds to believe a person has committed a crime within the jurisdiction of the Court, the Pre-Trial Chamber will, on application from the Prosecutor, decide whether to order  a warrant of arrest or a summons to appear voluntarily for the wanted person. Contrary to the procedure before other tribunals, it is only after the wanted person appears before the Court  that the Pre-Trial Chamber holds a hearing to decide whether to confirm the charges that will be the basis for trial.

Where the charges are not confirmed , the wanted person must be released if they are in ICC custody. Where the charges are confirmed , the case proceeds to trial, at the conclusion of which the Trial Chamber will issue a Trial Judgment , which determines the defendant's guilt  or innocence (in which case they are released ). The Trial Chamber's determinations can be appealed to the Appeals Chamber, which, following an appeals hearing, issues an Appeals Judgment , affirming, reversing or revising the Trial Judgment. Defendants still in custody who are acquitted on appeal are released . Defendants whose Trial Judgment convictions are affirmed and/or who are convicted on appeal  are typically transferred to serve out the remainder of their sentence to one of the domestic jurisdictions that have signed agreements with the ICC.

Proceedings against these convicted defendants come to a close once they are released , either through early release or where they served out the entirety of their sentence. More generally, proceedings against defendants before the ICC may be terminated if their indictment is withdrawn or if the ICC defers to a national jurisdiction , and where a defendant dies .

#### SYMBOL KEY

 ARREST WARRANT/SUMMONS

 INITIAL APPEARANCE

 CHARGES CONFIRMED

 CHARGES NOT CONFIRMED

 TRIAL JUDGMENT

 TRIAL CONVICTION

 FOUND INNOCENT AT TRIAL

 APPEAL JUDGMENT

 APPEAL CONVICTION

 FOUND INNOCENT ON APPEAL

 INDICTMENT WITHDRAWN OR DEFERRAL TO NAT'L JURISDICTION

 DEATH OF DEFENDANT

 RELEASE FROM CUSTODY

#### CENTRAL AFRICAN REPUBLIC

1 BEMBA GOMBO, Jean Pierre

#### DEMOCRATIC REPUBLIC OF THE CONGO

1 CHUI, Mathieu Ngudjolo

2 DYILO, Thomas Lubanga

3 KATANGA, Germain

4 NTAGANDA, Bosco

5 MBARUSHIMANA, Callixte

6 MUDACUMURA, Sylvestre

#### UGANDA

1 KONY, Joseph

2 LUKWIYA, Raska

3 ODHIAMBO, Okot

4 ONGWEN, Dominic

5 OTTI, Vincent

#### LIBYA

1 AL-SENUSSI, Abdullah

2 GADDAFI, Muammar

3 GADDAFI, Saif Al-Islam

#### DARFUR

1 ABU GARDA, Bahar Idriss

2 AL BASHIR, Omar Hassan Ahmad

3 HARUN, Ahmad Muhammad

4 HUSSEIN, Abdel Raheem Muhammad

5 JAMUS, Saleh Mohammed Jerbo

6 KUSHAYB, Ali

7 NOURAIN, Abdallah Banda Abakaer

#### IVORY COAST

1 GBAGBO, Laurent

2 GBAGBO, Simone

#### KENYA

1 ALI, Mohammed Hussein

2 KENYATTA, Uhuru Muigai

3 KOSGEY, Henry Kiprono

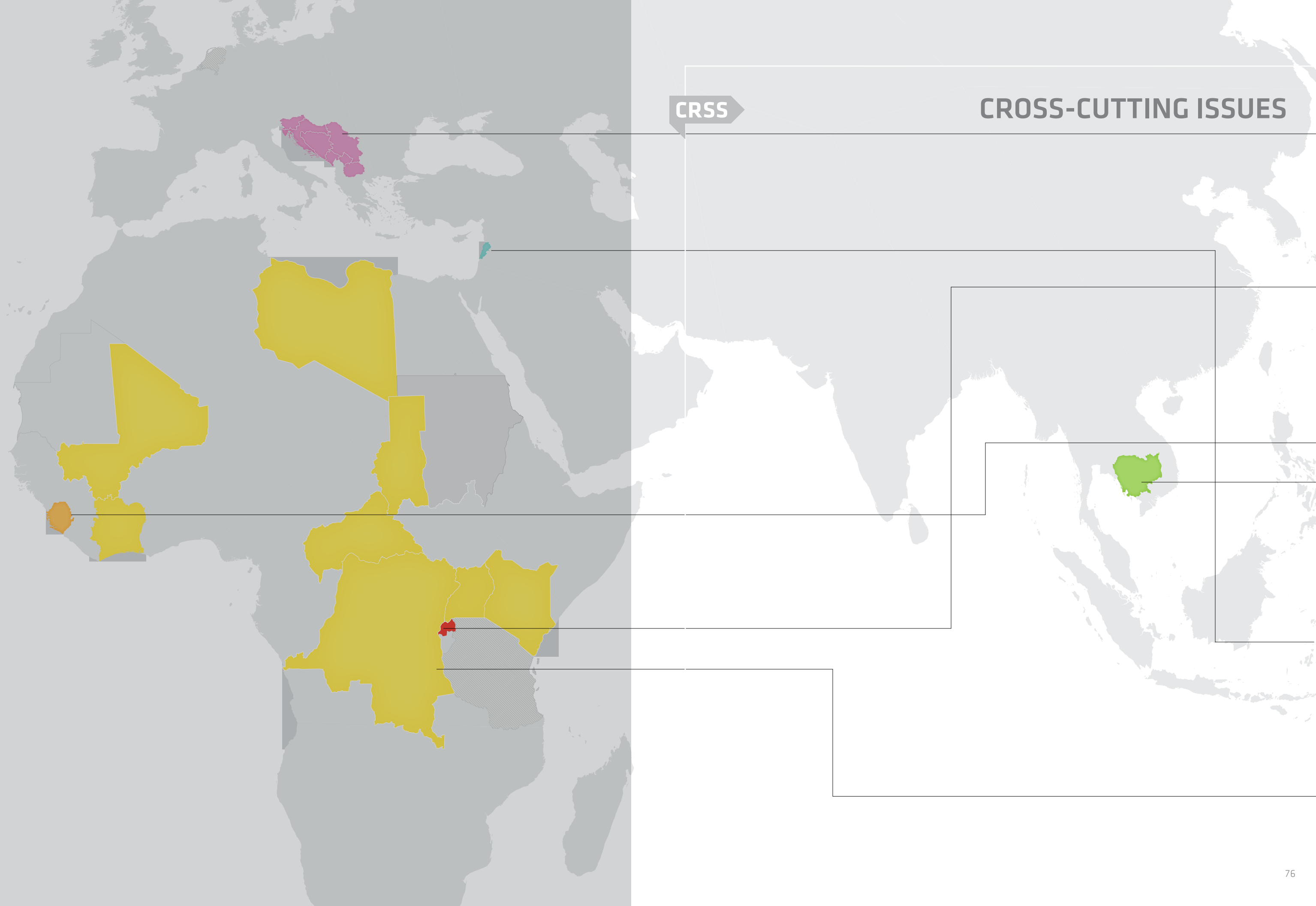
4 MUTHAURA, Francis Kirimi

5 RUTO, William Samoei

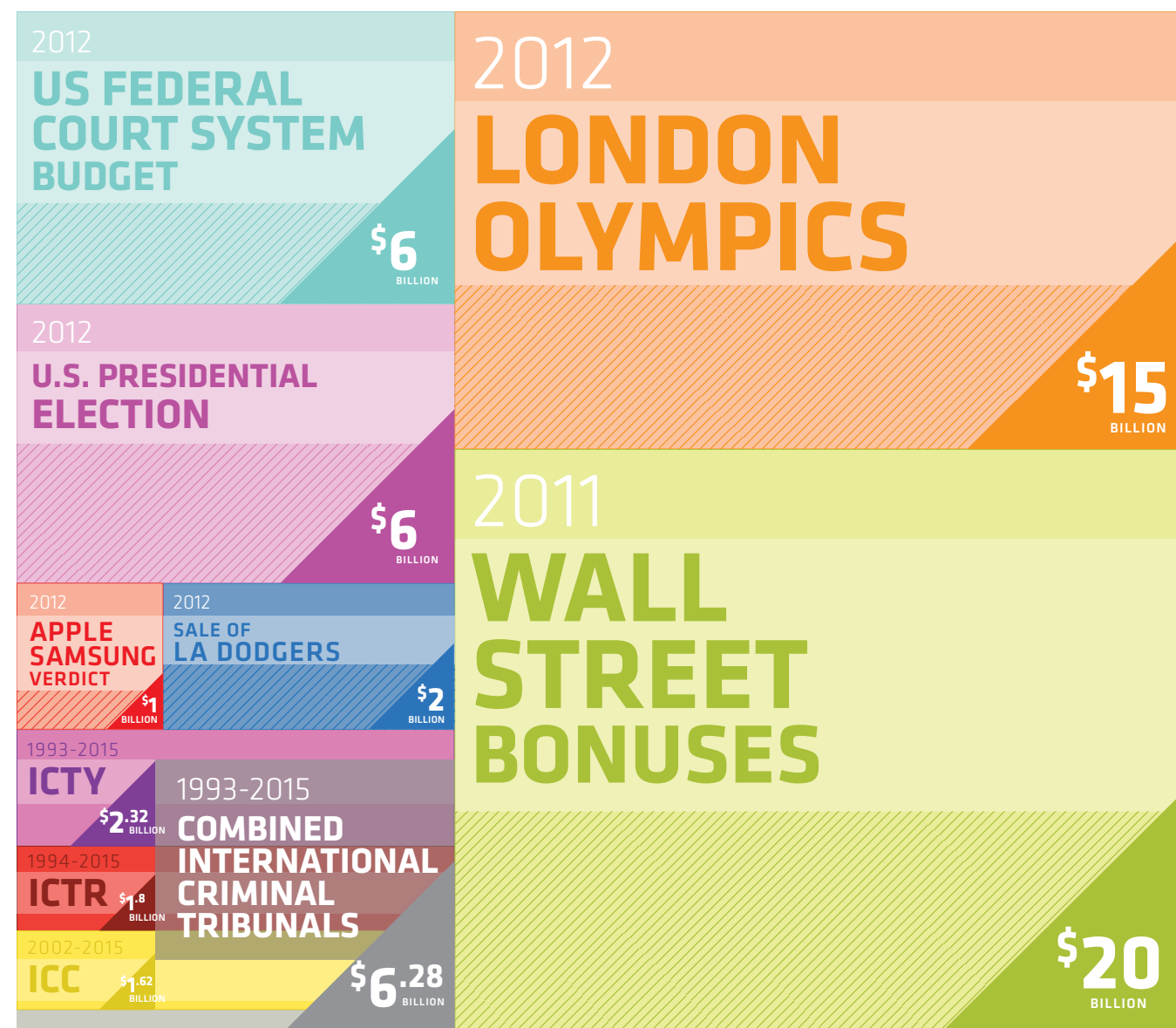
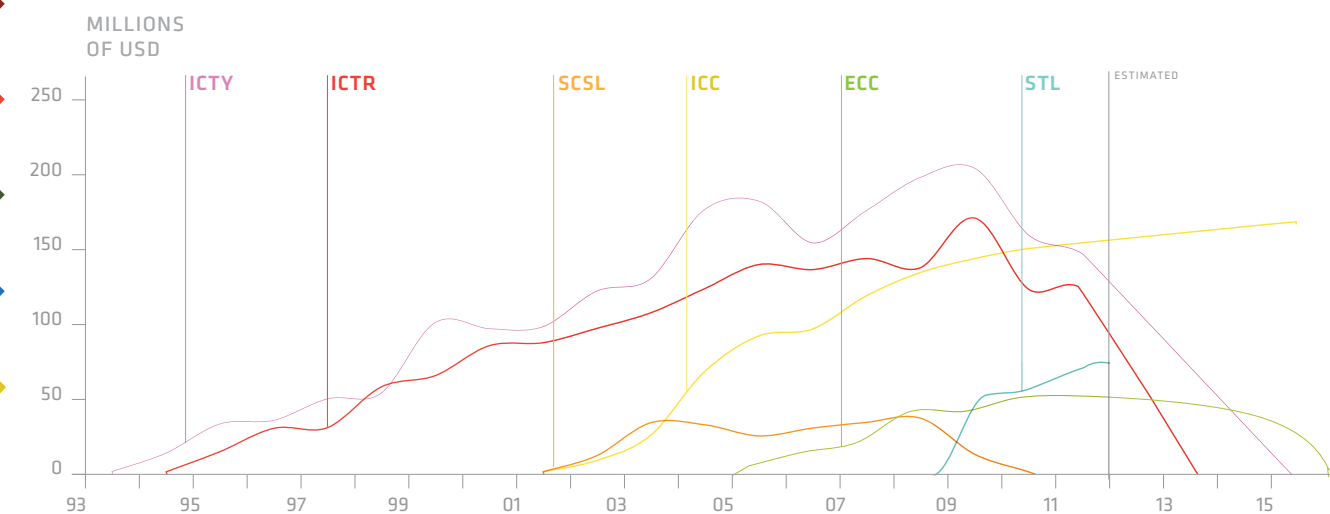
6 SANG, Joshua Arap

## CRSS

## CROSS-CUTTING ISSUES



## TRIBUNAL COSTS



## TOP TRIBUNAL FUNDING SOURCES

1. UNITED STATES (\$1,067,305,915)
2. JAPAN (\$970,189,116)
3. GERMANY (\$584,596,428)
4. UNITED KINGDOM (\$479,424,301)
5. FRANCE (\$448,956,203)
6. ITALY (\$334,746,308)

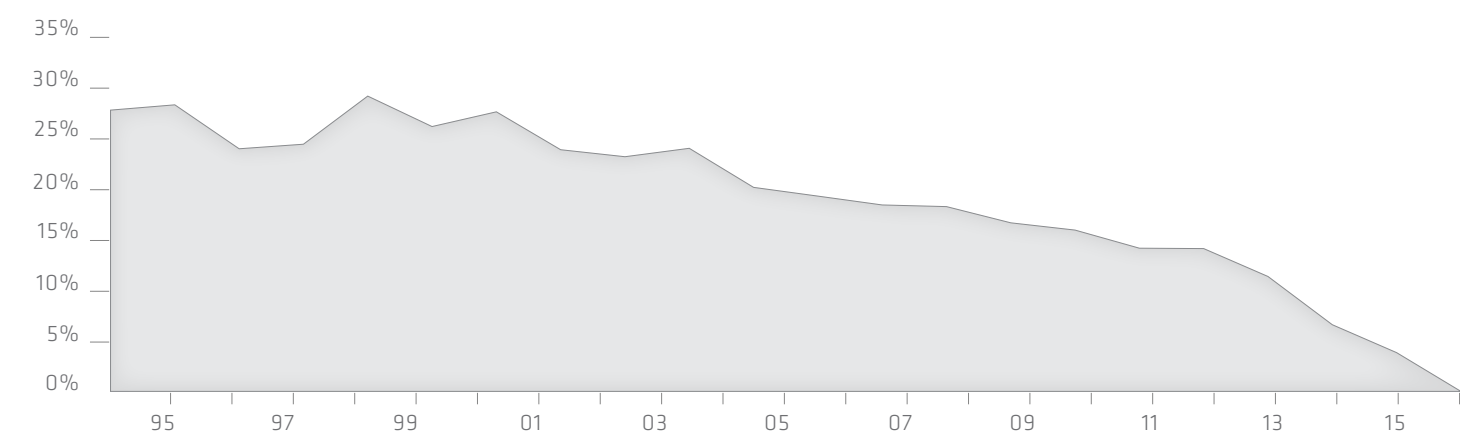
CARTOGRAM OF TRIBUNAL FUNDING (1993 - 2015)

Areas of countries sized in proportion to their tribunal contributions (1993 to 2015)



DECLINE IN UNITED STATES SUPPORT FOR INTERNATIONAL CRIMINAL TRIBUNALS

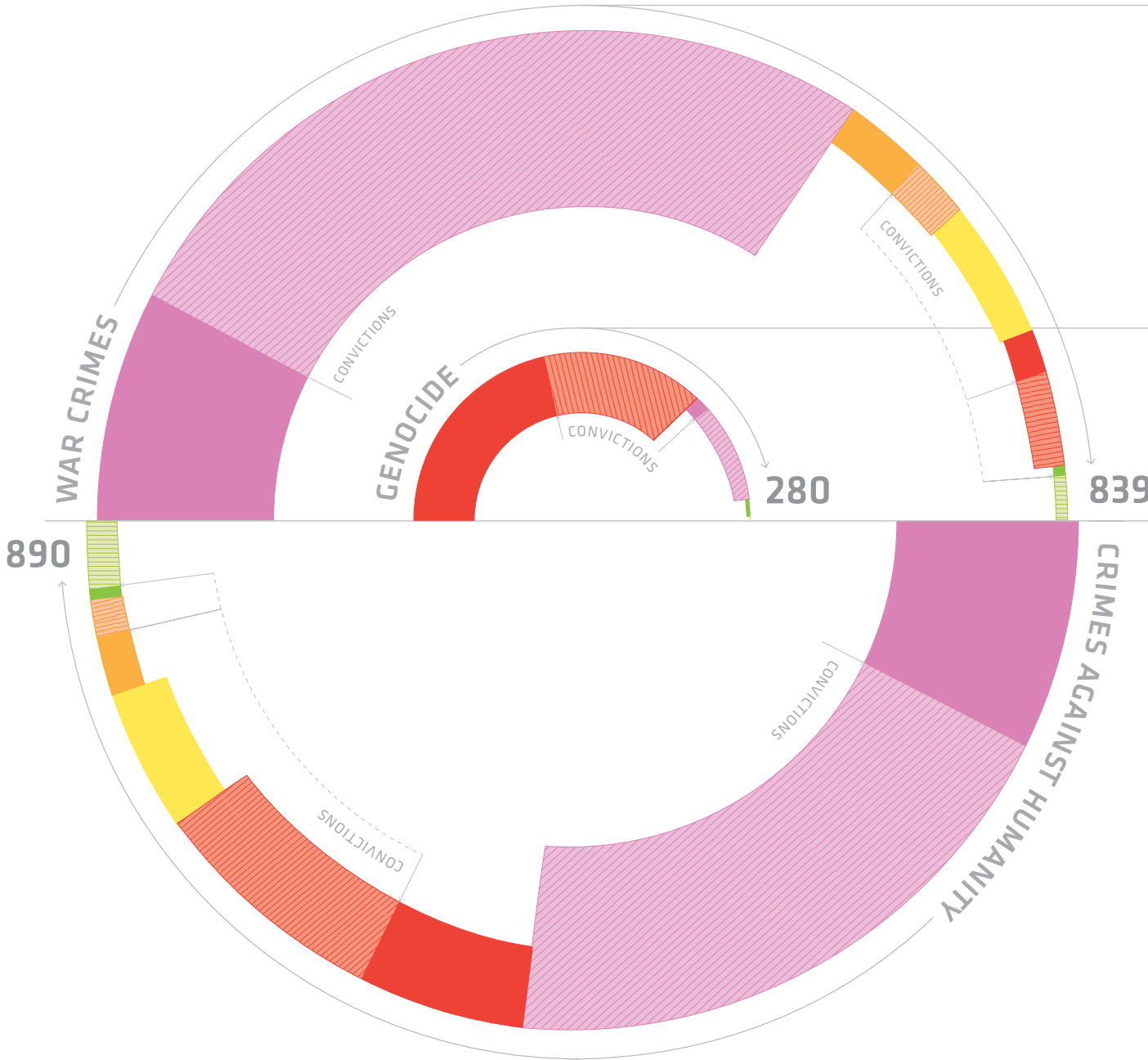
United States Contributions to International Criminal Tribunals as a Percentage of Total Contributions



CRIMES CHARGED PER TRIBUNAL

WAR CRIMES:		GENOCIDE:		CRIMES AGAINST HUMANITY:	
ICTY:	580	ICTY:	39	ICTY:	461
ICTR:	74	ICTR:	236	ICTR:	237
SCSL:	82			SCSL:	65
ECCC:	25	ECCC:	4	ECCC:	44
ICC:	78	ICC:	1	ICC:	83
839		280		890	

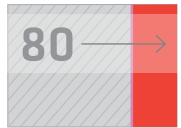
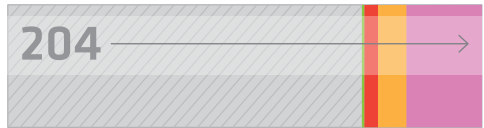
CHARGES



CRIMES CONVICTED OF PER TRIBUNAL

WAR CRIMES:		GENOCIDE:		CRIMES AGAINST HUMANITY:	
ICTY:	131	ICTY:	4	ICTY:	127
ICTR:	23	ICTR:	76	ICTR:	96
SCSL:	44			SCSL:	39
ECCC:	5			ECCC:	6
ICC:	1			ICC:	0
204		80		268	

CONVICTIONS



PROSECUTIONS BEFORE THE INTERNATIONAL CRIMINAL Tribunals focus on three international crimes: genocide, war crimes and crimes against humanity. A prosecutor’s decision to charge one or more of these three crimes is shaped by the jurisdiction of the tribunal before which they appear, the legal elements of the crimes and the specific facts of their case, among others.

Most international criminal tribunals have jurisdiction over (ie, the power to hear cases concerning) all three of these international crimes. Thus, the ICTY, ICTR, ECCC and ICC all have jurisdiction over genocide, war crimes and crimes against humanity. The SCSL has jurisdiction over war crimes and crimes against humanity, as well as domestic crimes under Sierra Leonean law (as does the ECCC under Cambodian law). Finally, the STL remains an exception in that its jurisdiction extends solely to crimes under domestic Lebanese law.

Genocide, war crimes and crimes against humanity can be distinguished from one another, and from domestic crimes, based on the context in which they were committed. Broadly speaking, genocide requires that the perpetrator act with the intent to destroy, in whole or in part, a racial, ethnic, religious or national group; war crimes must be committed within an armed conflict, whether international or not in nature; and a crime against humanity must be committed as part of a widespread or systematic attack directed against a civilian population. Thus, an “ordinary” domestic murder will only be elevated to one (or more) of these three international crimes where these broader contextual elements are also met.

The accompanying visualizations depicts the number of charges and convictions per crime for each of the tribunals. These numbers reflects both the scope of each tribunal’s mandate, including the number of years it has been in operation, as well as the nature of the crimes committed in its underlying conflict(s). That the ICTR has had the majority of charges and convictions for the crime of genocide, for example, is directly linked to the nature of the crimes committed in Rwanda in 1994. In contrast, the SCSL’s Statute does not include jurisdiction over the crime of genocide given the differing nature of the crimes committed in its underlying conflict.

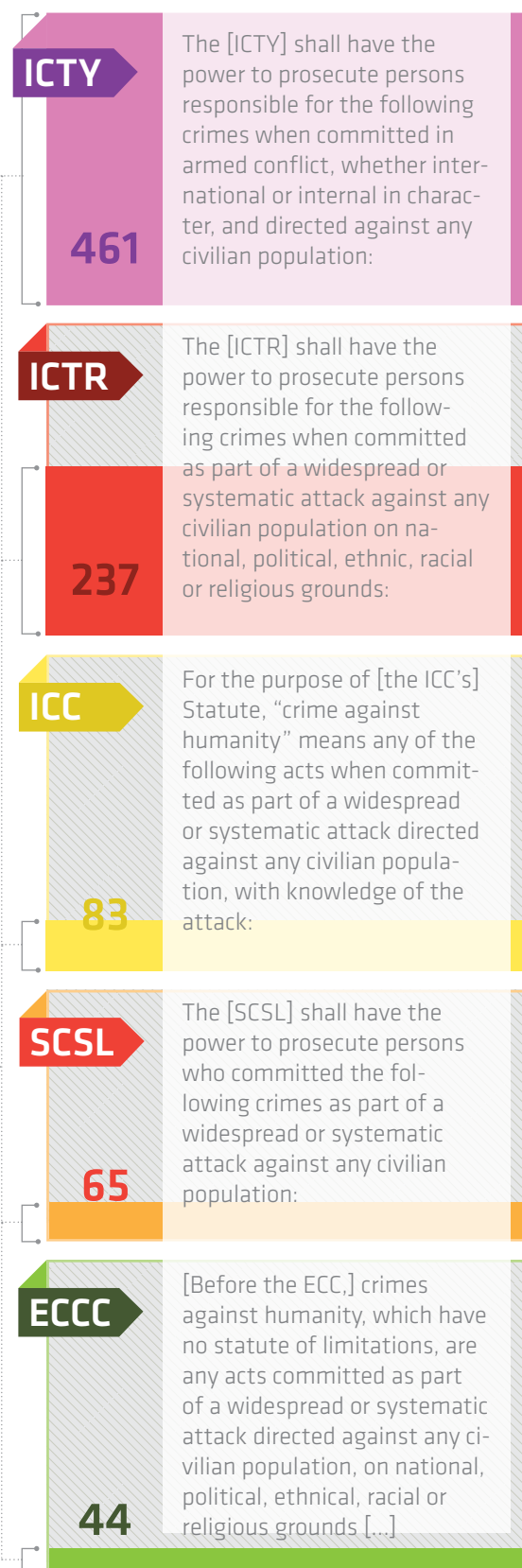


## CRIMES AGAINST HUMANITY PER TRIBUNAL

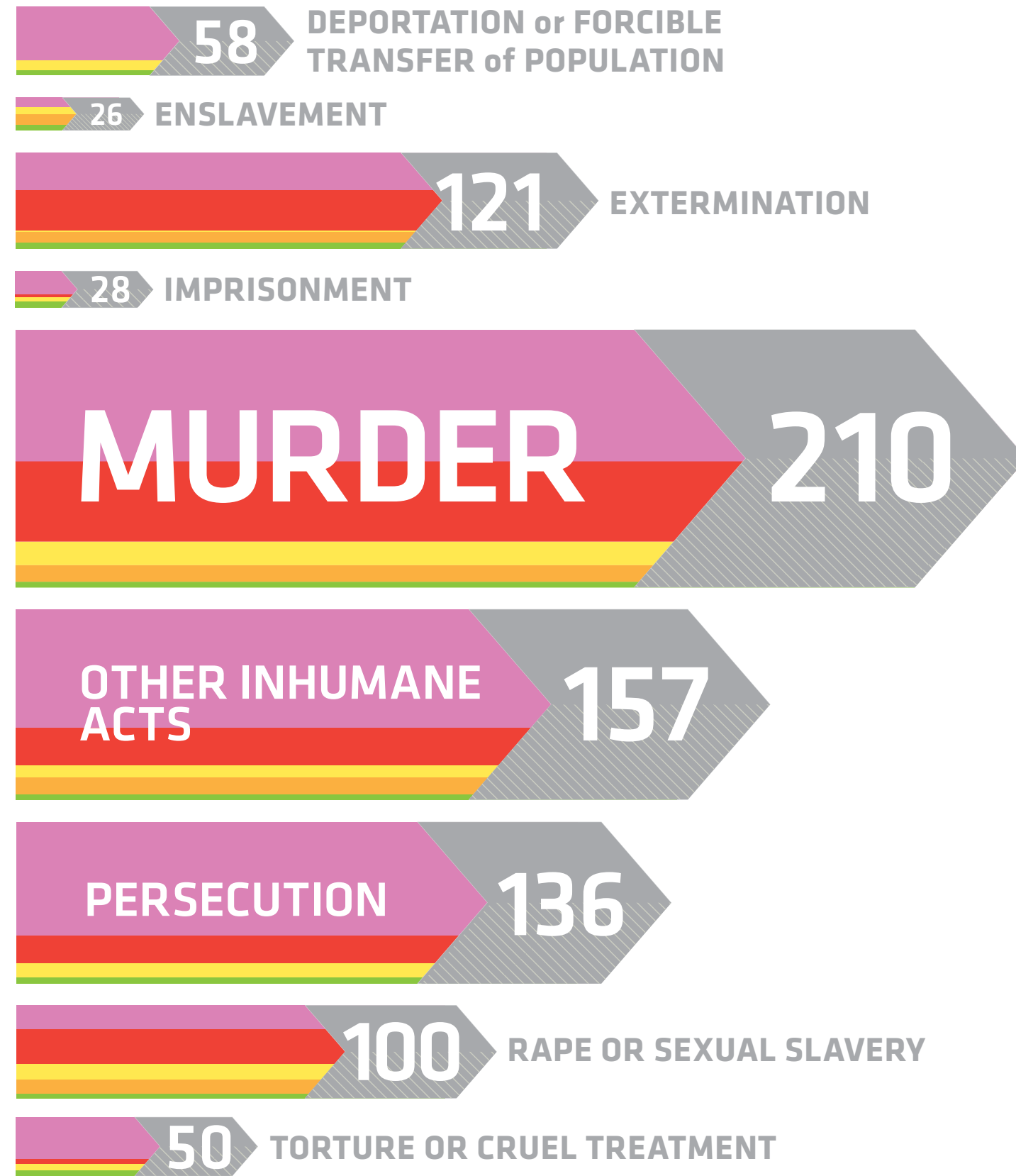
CRIMES AGAINST HUMANITY IS ONE OF THE THREE INTERNATIONAL crimes prosecuted by the international criminal tribunals, along with genocide and war crimes (the ICC may also exercise jurisdiction over the crime of aggression in the near future). As evidenced by the extracts replicated here, however, the definition of what constitutes a “crime against humanity” has shifted from tribunal to tribunal. In part, this divergence reflects the nature of the prohibition against crimes against humanity, which was traditionally rooted in unwritten customary international law norms. Further, even when the crime’s precise customary international law definition was agreed upon, some tribunals adopted a narrower definition for purposes of their own statute. Nevertheless, certain defining elements have remained consistent throughout, namely the civilian nature of the population under attack. Jurisprudence from the tribunals has also played an important role in fleshing out the crime’s definition under international law. As indicated by the figures on these and the preceding pages, the extent of this jurisprudence varies across tribunals.

Figures on the opposing page detail the types and number of underlying offences for which crimes against humanity charges have been brought at each tribunal (multiple counts against a defendant for the same type of underlying offence are treated as a single charge). Underlying offences are charged in conjunction with the broader international crimes (eg, torture as a crime against humanity or torture as a war crime). The numbers associated with each underlying offence do not necessarily correspond to that offence’s prevalence during the various conflicts, however. Indeed, while rape and other sexual offences were often widespread during many of the conflicts at issue, these offences were traditionally neglected before the tribunals.

NUMBER OF CRIMES AGAINST  
HUMANITY OFFENCES  
CHARGED PER TRIBUNAL

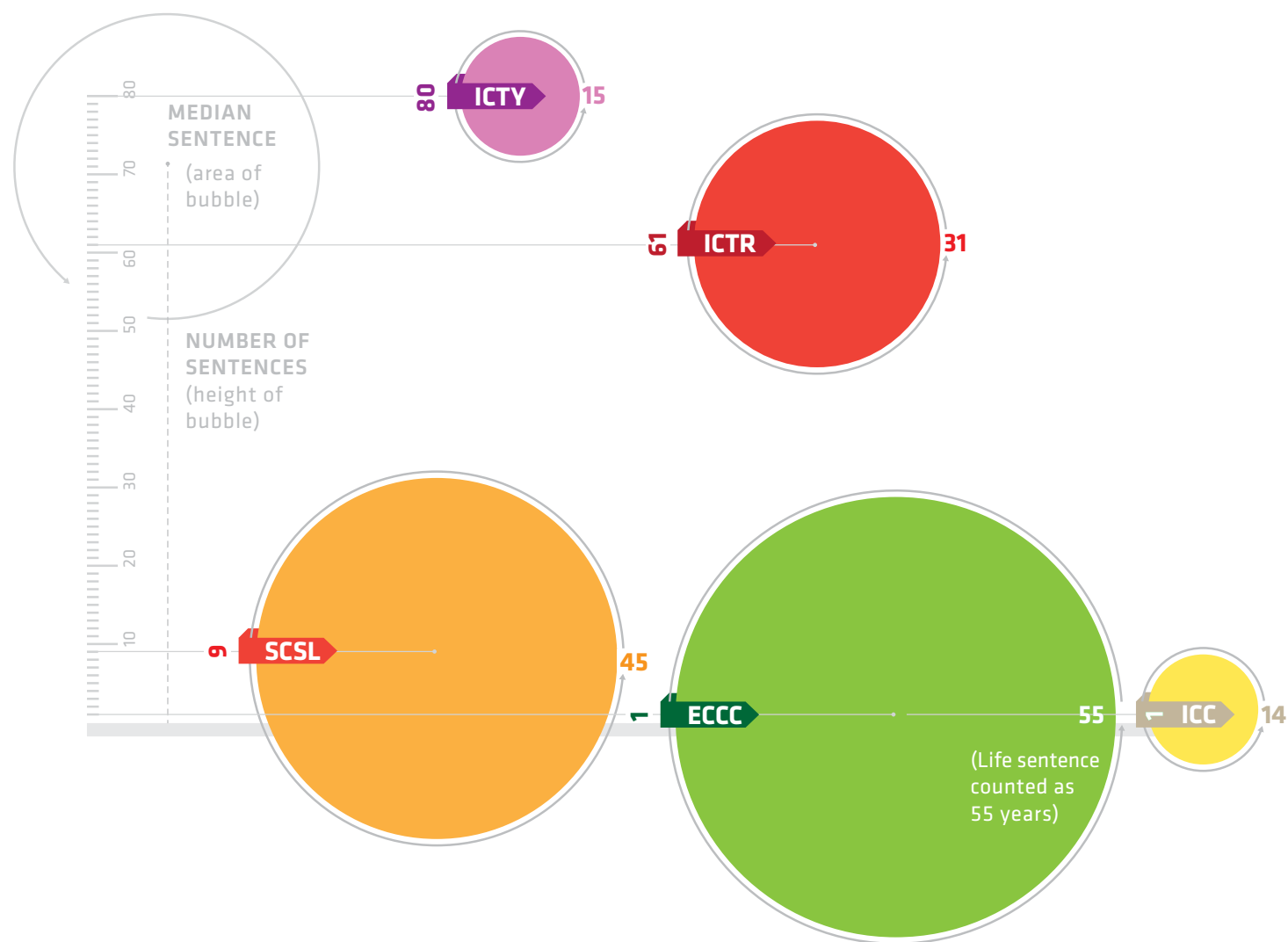


## UNDERLYING OFFENCES PER TRIBUNAL





## SENTENCING BY TRIBUNAL



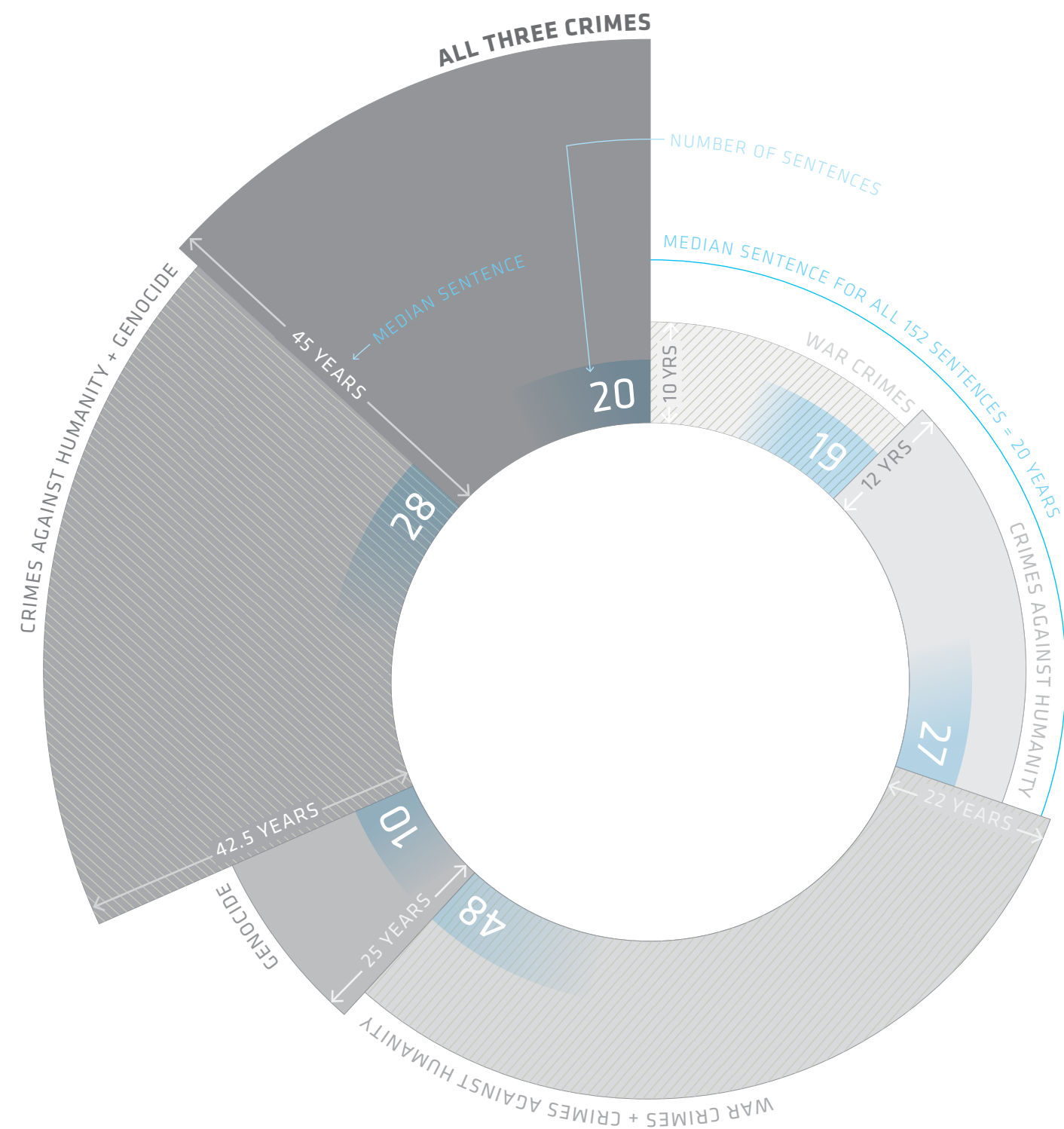
WHILE PUNISHMENT AND SENTENCING FORM AN integral part of the function and purpose of the international criminal tribunals, their statutes give little guidance as to what considerations should be taken into account during this phase of the proceedings. In practice, sentencing determinations are essentially ad hoc, holistic judgments based on a multitude of factors, including notably the gravity of the crime committed and the accused's leadership role.

The above visualization highlights the vast disparities in the number and median length of sentences rendered by the tribunals (these figures include final sentences as well as those currently on appeal). The number of sentences issued by a tribunal reflects the time it has been in operation, its mandate and how efficient it has been in hearing cases. The median length of a tribunal's sentences is shaped by

its judges' idiosyncratic sentencing practices and the nature of the crimes before it, which, as illustrated on the opposite page, greatly influences the sentences.

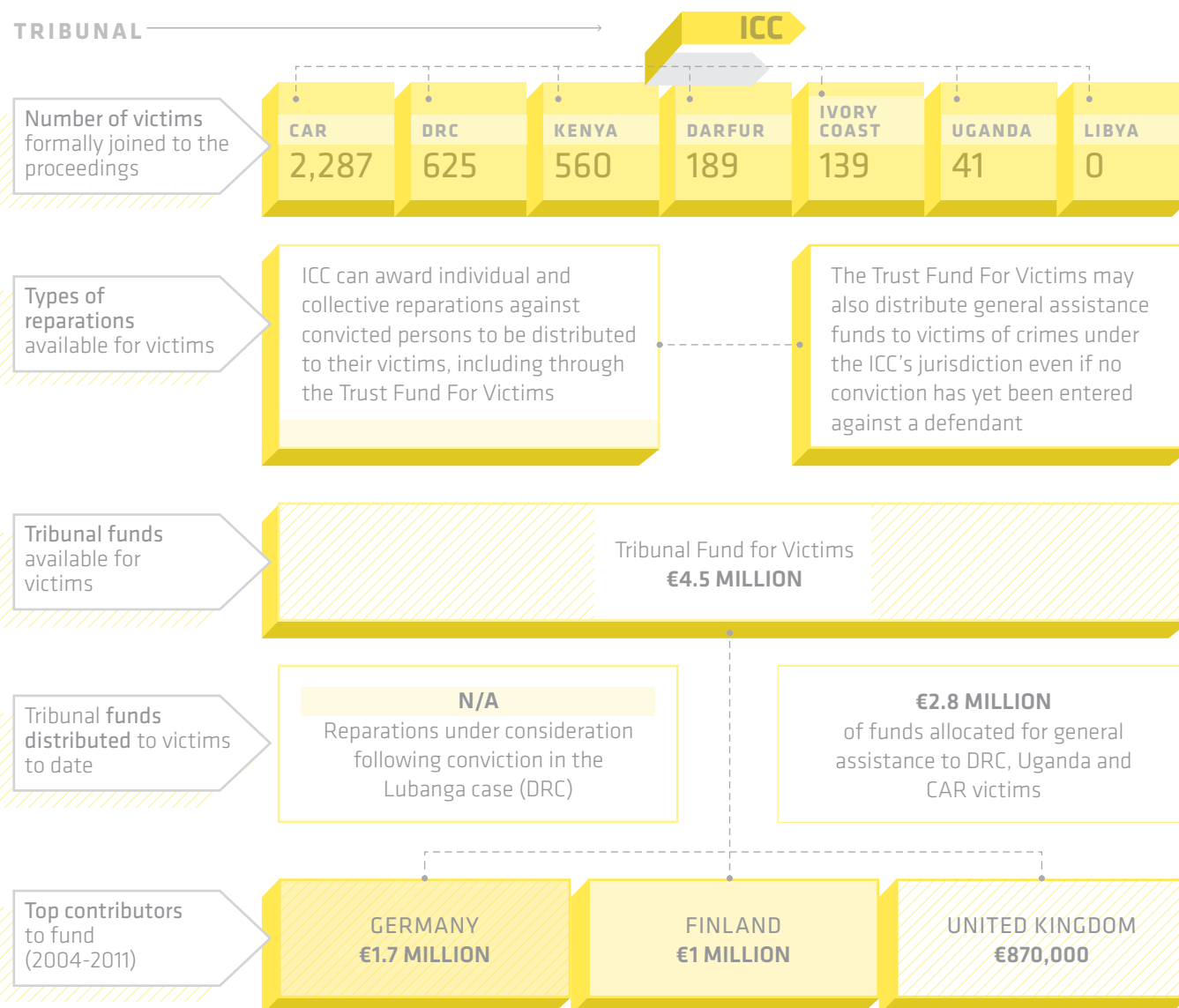
Despite the tribunals' assertions that there is no hierarchy of crimes for sentencing purposes, empirical analysis suggests otherwise. Indeed, as indicated by the graphic on the opposite page, on average, those convicted of genocide receive longer sentences than those convicted of crimes against humanity, who in turn receive longer sentences than those convicted of war crimes. This apparent hierarchy of crimes, when considered along with the composition of each tribunal's caseload, may account for some of the disparity between the varying median length of the tribunals' sentences. Of note, when compiled, the median sentence for all 152 sentences rendered by the tribunals is 20 years.

## SENTENCING BY CRIME



# REPARATIONS BY TRIBUNAL

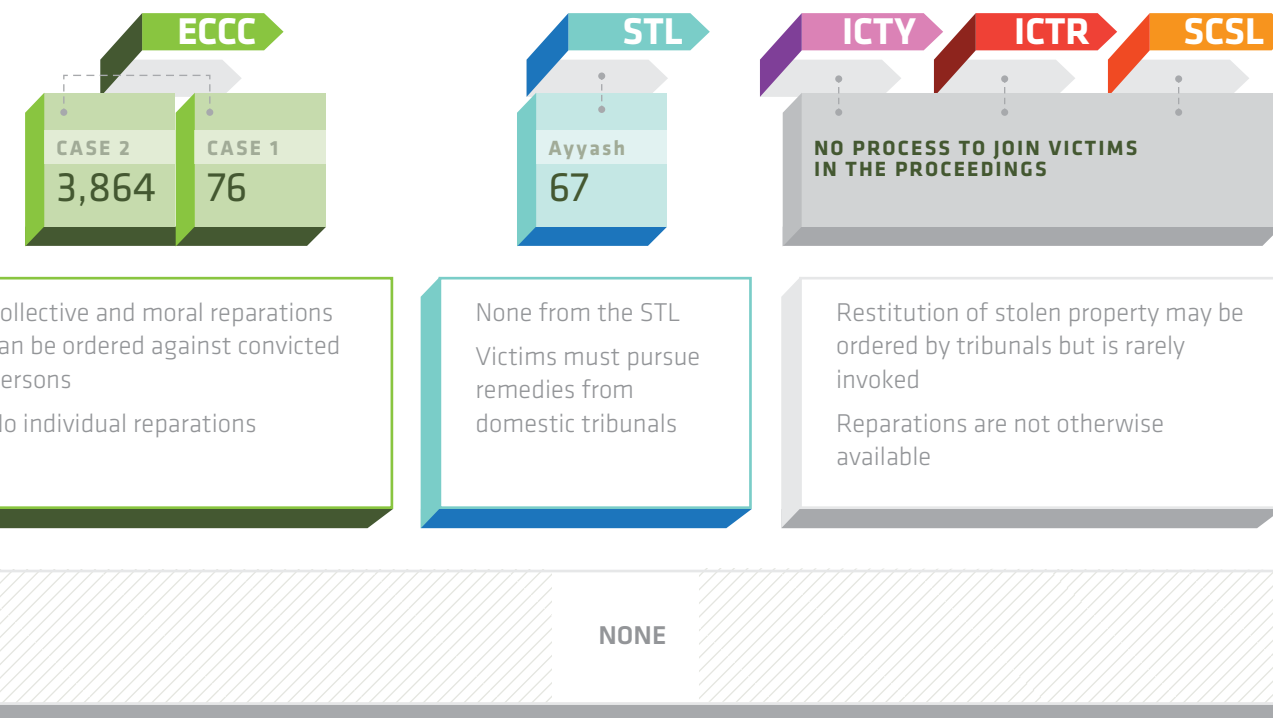
## TRIBUNAL



TRADITIONALLY, VICTIMS HAVE NOT PLAYED AN ACTIVE role before the international criminal tribunals. During the WWII-era Nuremberg Trials, not a single victim-witness was called. While more contemporary tribunals like the ICTY, ICTR and SCSL have greatly relied on the testimony of victims, for whom they have also established support units, victims may only appear as witnesses before these tribunals and are not considered parties to the proceedings.

In contrast, the ICC, STL and the ECCC all allow victims to be formally joined to the proceedings that concern them, which grants them certain procedural rights not otherwise available to those who appear solely as witnesses.

Moreover, both the ECCC and the ICC provide for the possibility of reparations for victims. At the ECCC, victims who have been formally joined as civil parties may request that the tribunal order collective and moral reparations against a convicted person. This award may be of limited use where the convicted person is indigent, however.



For its part, the ICC may order both individual and collective reparations to be awarded to victims by a convicted person. Further, the Trust Fund for Victims (TFV) can also distribute general assistance funds to victims of crimes under the ICC's jurisdiction, even absent a conviction. The TFV is financed through voluntary contributions, as well as fines paid by convicted persons.

# ADDITIONAL RESOURCES

INTERNATIONAL JUSTICE RESOURCES

<b>IJCENTRAL</b> IJCENTRAL.ORG
<b>JUSTICE IN CONFLICT</b> JUSTICEINCONFLICT.ORG
<b>LIEBER CODE</b> WWW.LIEBERCODE.ORG
<b>TRIAL</b> WWW.TRIAL-CH.ORG/EN/HOME.HTML
<b>HUMAN RIGHTS WATCH – INTERNATIONAL JUSTICE</b> WWW.HRW.ORG/TOPIC/INTERNATIONAL-JUSTICE
<b>OPEN SOCIETY FOUNDATIONS – INTERNATIONAL JUSTICE</b> WWW.OPENSOCIETYFOUNDATIONS.ORG/TOPICS/INTERNATIONAL-JUSTICE
<b>AMNESTY INTERNATIONAL – CAMPAIGN FOR INTERNATIONAL JUSTICE</b> WWW.AMNESTY.ORG/EN/INTERNATIONAL-JUSTICE
<b>RADIO NETHERLANDS WORLDWIDE – INTERNATIONAL JUSTICE</b> WWW.RNW.NL/INTERNATIONAL-JUSTICE
<b>WRONGING RIGHTS</b> WWW.WRONGINGRIGHTS.COM
<b>THE MULTILATERALIST</b> BOSCO.FOREIGNPOLICY.COM
<b>OPINIO JURIS</b> OPINIOJURIS.ORG
<b>AMERICAN NGO COALITION FOR THE ICC</b> AMICC.BLOGSPOT.COM
<b>INTERNATIONAL CRIMINAL LAW BUREAU</b> WWW.INTERNATIONALLAWBUREAU.COM
<b>PHD STUDIES IN HUMAN RIGHTS</b> HUMANRIGHTSDOCTORATE.BLOGSPOT.COM
<b>FORUM FOR INTERNATIONAL CRIMINAL AND HUMANITARIAN LAW</b> WWW.FICHL.ORG

# ANNEX

ACKNOWLEDGMENTS

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PP. 50-51





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