

Forum for International Criminal Justice Newsletter: May 2017

Welcome to the IAP's Forum for International Criminal Justice (FICJ) May 2017 Newsletter which focuses on the prosecution of war crimes, crimes against humanity and genocide, including a roundup of video highlights, legal analysis, announcements, events, new publications and major news developments from the past month.

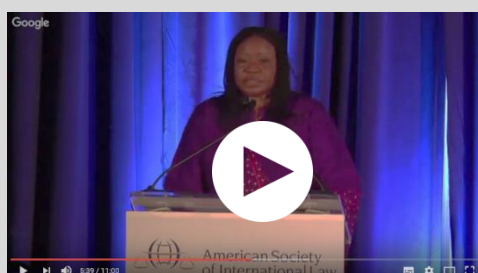
Domestic news covered in this Newsletter includes: a **Dutch** court convicts former "Timber baron" of war crimes in **Liberia**; **Montenegro** to try **Kosovo** war crimes suspect; **France** court refuses to extradite former **Kosovo** prime minister who faces war crime charges in **Serbia**; and **Bosnia** awaits extradition of nine war crimes suspects mainly from the **US**.

***Please have a look at the [FICJ forum](#) page on the IAP website and feel free to contribute:** the Forum provides individual prosecutors with a password protected space to post news, announcements, etc. and to pose questions to fellow prosecutors from around the world. Your contributions will also be posted in this monthly newsletter. Passwords are provided to IAP members – if you do not have a password, check your membership status by contacting the IAP Office Manager, Evie Sardeman: om@iap-association.org.



Danya Chaikel – IAP FICJ Coordinator | email: ficj@iap-association.org

Video Highlights



[Click here](#) to watch video remarks of ICC Prosecutor Fatou Bensouda on the future of international criminal justice, at the 2017 meeting of the American Society of International Law.



[Click here](#) to watch a video on the new book, 'Inside Rwanda's Gacaca Courts' (grassroots justice system) based on observations of 2000 trials and what the courts set out to do, how they worked, what they achieved and how they affected Rwandan society.



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MICT Office of the Prosecutor remembers the victims of Rwanda genocide

7 April 2017, MICT Office of the Prosecutor

Press Release - As people around the world pause to remember and commemorate the 23rd anniversary of the Rwandan Genocide, the Office of the Prosecutor (OTP) of the Mechanism for International Criminal Tribunals (MICT) expresses its sorrow and sympathy for the victims, survivors and the Rwandan people.

In just 100 days, hundreds of thousands of innocents were senselessly murdered, tortured, raped and forced to flee their homes. These atrocities were directed by a government that sought to destroy its citizens. The perpetrators, who should have protected the people, instead attacked and victimized the most vulnerable.

Remembering and honouring the victims is not simply about the past, but the present and future. Today, genocide denial, in all its forms and manifestations, must be confronted and rejected. Education is urgently needed to show the dangers in ideologies of discrimination, division and hate that can lead to genocide.

For the present and future, it is also essential that justice for the Rwandan Genocide continues. All those suspected of individual criminal responsibility for crimes committed during the Rwandan Genocide must be fairly prosecuted and judged. While the International Criminal Tribunal for Rwanda secured 61 convictions, including senior political and military leaders, eight fugitives indicted by the ICTR and MICT still remain at large, while Rwandan authorities are seeking the arrests of hundreds more.

It is now the responsibility of the MICT OTP to see that those eight fugitives are brought to justice, while supporting the efforts of our Rwandan colleagues to locate other suspected genocidaires remaining at large.

Speaking about the importance of the search for the remaining eight MICT fugitives, Prosecutor Serge Brammertz commented:

“My Office is committed to locating, arresting and bringing the fugitives to justice. Felicien Kabuga, Protais Mpiranya, Augustin Bizimana and the other fugitives must stand before a



MICT Prosecutor Serge Brammertz and Prosecutor General of Rwanda Richard Muhumuzi at the Gisozi Genocide Memorial Centre, Kigali, Rwanda



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court of law and be judged for the crimes committed. So long as these fugitives remain at large, the victims and survivors will not have the justice they seek and deserve.

The challenges are significant. I call on all States in the region and the international community to fully support our efforts and provide all necessary assistance. I particularly welcome the strong support and full cooperation offered by Rwandan authorities. Working together, we can deny these fugitives safe haven and shut down their support networks."

ICC Chief Prosecutor listed as one of TIME magazine's 100 most influential people



Fatou Bensouda has been fighting for justice at the ICC for the past 13 years © Carolien Sikkenk Laurillardlaan

International Criminal Court (ICC) Chief Prosecutor Fatou Bensouda has been listed as one of TIME magazine's top 100 most influential people for the second time, reaffirming her role as a "leading voice pressing governments to support the quest for justice."

Former Minister of Justice of The Gambia, Bensouda began her international career as a non-government civil servant at the International Criminal Tribunal for Rwanda,

before becoming Deputy Prosecutor and later Prosecutor of the ICC. She was first recognized as one of the World's Most Influential People in 2012, shortly before taking office at the ICC as the first African woman to assume a top position in an international tribunal.

This year, she was commended for her resilience and determination during a turbulent time for the Court. Leaders of the African Union called for a collective withdrawal from the court, claiming that the arbiter of the world's most morally repugnant crimes is racist, colonial and anti-African because it has almost exclusively investigated and prosecuted Africans.

Prosecutor Bensouda isn't going to let that happen without a fight. When countries started announcing their intent to leave, she blasted them for giving African leaders a free hand "to commit genocide". She has also directed the Court to consider new cases from Ukraine, Iraq, Colombia and Afghanistan, which should put some of the criticism to rest. "Justice may be blind," wrote TIME's Africa bureau chief, Aryn Baker. "But when it comes to the politics of where it can be applied, Bensouda knows she has to go in with her eyes wide open."

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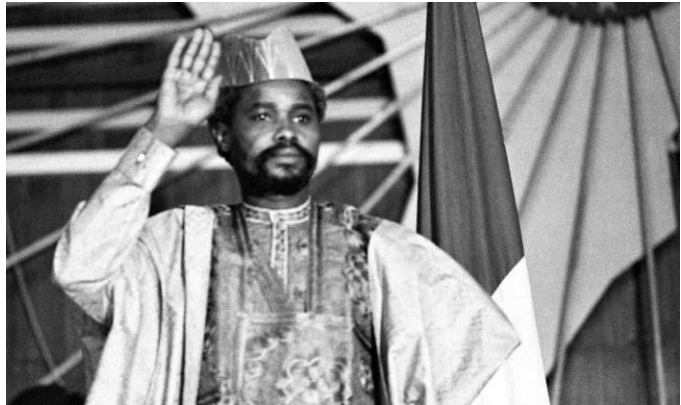
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Ex-Chad dictator's conviction for crimes against humanity upheld by Dakar court

[Newsweek](#) – Appeals Court in Senegal acquits Hissène Habré of a rape charge but upholds other charges including torture and murder

A court in Senegal has rejected Chad's former ruler Hissène Habré's appeal against his conviction for crimes against humanity. A special tribunal—the [Extraordinary African Chambers](#) — sentenced Habré to life in prison in May 2016 for ordering the arrest, torture and killing of thousands of people in Chad during his eight-year rule, which ended in 1990.



Hissène Habré, pictured here in 1983, was sentenced to life in prison in 2016 after a landmark trial. Photograph: Joel Robine/AFP/Getty Images

The appeals court in Senegal acquitted Habré of rape—a charge that was introduced during the trial—but upheld all the other charges against him. In 2016, Gberdao Gustave Kam, president of the special court, said Habré had committed three acts of rape. Head Appeal Judge Ougadeye Wafi said on Thursday the court believed the account of a witness who claimed she was personally raped by Habré. However, the court dropped the charge as it was not part of the original indictment.

Wafi also ruled that a trust fund — set up by the African Union — will manage millions of dollars of compensation that has been awarded to more than 4,000 of his victims. The compensation money will come from the seizure of Habré's assets.

The verdict concludes a landmark trial that began July 2015 and led to 90 victims testifying against Habré. Many of the victims had been seeking justice for almost three decades, following their release from Chadian prisons in 1990, when Habré fled to Senegal after being overthrown by current President Idriss Deby. "Today is a great and a famous day for all victims. I am dreaming of now building a new society without the violence, a new society with democracy and with respect for human beings," Clement Abaifouta, president of the Association of Victims of Crimes of the Regime of Hissene Habre and a former prisoner, told the AP.

It marked the first time that an African court has tried a head of state for crimes against humanity and also the first time a court of one country has tried a former head of state of another for human rights abuses. "The life sentence handed down to Habré shows that this hybrid court in Senegal has

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teeth,” Phil Clark, reader in international politics with a focus on Africa at London’s SOAS University, tells *Newsweek* .

“The Habré case shows that some African states are willing to hold the leaders of other African states accountable. Given that the Habré trial was supported by the African Union and overseen entirely by African judges, this shows a growing capacity and willingness within Africa to deal with international crimes.”

Corporate accountability: Dutch court convicts former “Timber baron” of war crimes in Liberia

By [Dieneke De Vos](#)

On 21 April 2017, the Dutch Court of Appeal in ‘s-Hertogenbosch issued a decision holding Mr Guus Kouwenhoven, a Dutch national, responsible as an accessory to war crimes committed in Liberia and parts of Guinea between August 2000 and December 2002. The decision, one of a few of its kind in the world, sets important legal precedent concerning corporate accountability for war crimes. As

the president of the Oriental Timber Company (OTC) and director of the Royal Timber Company (RTC), Mr Kouwenhoven supplied weapons, and material, personnel and other resources to former Liberian President Charles Taylor and his armed forces; the resources were used to fuel their fight against a rebel group, the Liberians United for Reconciliation and Democracy (LURD). The court held Mr Kouwenhoven liable not only for directly violating a UN arms embargo in place at the time, but equally as an aider and abettor to war crimes that were committed using the resources he provided, including rape, pillage, murder, and inhumane treatment. The case contains a number of interesting aspects, only some of which will be discussed in this post.

The case against Mr Kouwenhoven

Mr Kouwenhoven’s trial before the Dutch courts has been a lengthy one. He was first charged in 2005 and subsequently convicted of violating the UN arms embargo by the district court in The



Courtroom sketch of Guus Kouwenhoven facing justice for war crimes in a Dutch courtroom. [NU.nl](#)

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Hague in June 2006. The district court acquitted him, however, of complicity for war crimes. In March 2008, the appeals court overturned the conviction for lack of evidence and ordered his release. The Dutch public prosecutor subsequently filed an appeal before the Dutch High Court, which overturned the appeals decision in March 2010 holding that the appeals court had improperly dismissed the testimony of two witnesses. It ordered a retrial before a different appellate court. The new appellate trial, delayed due to the Ebola outbreak in Liberia and Sierra Leone in 2014, finally commenced in February this year before the appeals court in 's-Hertogenbosch. The appellate trial relied upon new evidence uncovered during investigations conducted since 2010, including inspections in Liberia and new witness statements from witnesses in the Netherlands, Liberia, the United States, and Hong Kong.

The crimes for which Mr Kouwenhoven stood trial were alleged to have been committed during the second Liberian Civil War between 2000 and 2002, when Former Liberian President Charles Taylor was fighting a brutal war against LURD, who sought to overthrow his regime... As director and president of two of the largest timber companies in Liberia, Mr Kouwenhoven's business interests were closely tied to former President Charles Taylor's political, financial, and personal interests, belonging to his so-called second 'inner circle' of influential executives. Mr Kouwenhoven maintained frequent contact with Charles Taylor, who had financial interests in his two companies and frequently received payments and other resources. In exchange, Mr Kouwenhoven gained access to large swathes of territory for the exploitation of timber and was given *de facto* control over the Buchanan port.

The court noted that Mr Kouwenhoven used his companies OTC and RTC to import, store, and distribute weapons in Liberia, in clear violation of the UN arms embargo. He provided Charles Taylor with trucks for the transportation of armed forces, weapons and ammunition, and facilitated the import of weapons and ammunition in the port of Buchanan. He also actively encouraged his employees to support Charles Taylor, such as by unloading weapons from his ships in Buchanan and transporting them to various places in Liberia or participating actively in the fighting, and threatened those who refused with dismissal. He also allowed the armed forces access to an RTC camp, effectively used as a meeting place and a mechanism for storage and resupply of weapons to the frontline. The case thus revolved around his (indirect) responsibility through providing support and assistance to the commission of crimes, as well as his direct responsibility for violating the UN arms embargo in force at the time.

Corporate accountability for international crimes

The decision sets important precedent in relation to corporate accountability for war crimes. Importantly, Mr Kouwenhoven is not convicted of directly perpetrating or ordering international crimes himself. Rather, the court held that he made an "active and conscious" contribution to the

commission of serious violations of international humanitarian law, by the provision of material, personnel, and other resources through his businesses in Liberia. Although he had been charged in the alternative as (co-)perpetrator and as an accessory to the crime, he was ultimately convicted as an aider or abettor.

...The court did not find that Mr Kouwenhoven was part of a common plan to commit war crimes, or “knew” that the weapons and ammunitions he supplied were going to be used by others for their commission. Instead, the court held that by providing weapons and ammunition, by allowing his armed personnel to join the Liberian Combined Armed Forces, by violating the UN arms embargo, and by allowing the RTC camp at Bomi Wood to be used as a collection and distribution site, Mr Kouwenhoven “must have been aware” that “in the ordinary course of events” those weapons and ammunition *would* be used

...the court concluded that Mr Kouwenhoven “knowingly exposed himself to the substantial chance that the weapons and ammunition he provided would be used by others to commit war crimes and/or crimes against humanity”. Importantly, the court held that this included both those crimes for which the weapons and ammunition were used directly (such as shooting civilians), as well as indirectly, i.e. when the threat of the presence of weapons and/or armed forces was used to commit crimes, such as rape or pillage. The court further held that he was aware of the cruel nature of the armed conflict being fought by Charles Taylor, and that he knowingly accepted the risk that his assistance facilitated the commission of war crimes and/or crimes against humanity. Mr Kouwenhoven was thus held liable as an aider or abettor.

Being convicted as an aider and abettor, however, did not in any way diminish his responsibility; in fact, the court specifically noted the seriousness of his contribution to the crimes in sentencing him to 19 years imprisonment. In doing so, the court reiterated the preventative or deterrent value of this judgment: “international businessmen, such as the accused, who do not hesitate to do business with regimes like Charles Taylor’s, are firmly put on notice that they can become involved in, and be held criminally liable for, (international) crimes (against humanity).”

Obligation to prosecute & no amnesty for international crimes

Mr Kouwenhoven’s defence attorney had claimed that the charges against him were inadmissible because the Liberian ‘Act to grant immunity from both civil and criminal proceedings against all persons within the jurisdiction of the republic of Liberia from acts and crimes committed during the civil war from December 1989 to August 2003’ applied. This Act was adopted by Charles Taylor on 7 August 2003, four days before he fled the country. The court dismissed her arguments on various grounds, and in doing so included important *dicta* on the inapplicability of amnesties for international crimes and the obligation of states to prosecute war crimes and crimes against humanity.

The court observed that, this 2003 Amnesty Act was effectively amended through the 2005 Truth and Reconciliation Commission Act, which stipulates: “amnesty or exoneration shall not apply to violations of international humanitarian law and crimes against humanity in conformity with international laws and standards”. The Dutch court reiterated that this approach was in line with international law. Specifically, the court found that international law, in particular articles 2 and 3 of the European Convention of Human Rights (ECHR), contains a positive obligation on states to investigate and prosecute allegations of war crimes or crimes against humanity. Allowing amnesties for such crimes, which would obstruct such proceedings, in the court’s view, would constitute a violation of the state’s obligations under the ECHR. Finding that a national amnesty that precludes prosecutions of war crimes and crimes against humanity would be “incompatible with the international obligation to prosecute such crimes”, the court also relied upon UN Security Council resolution 1674(2006) on the protection of civilians in armed conflict that calls for an end to impunity for war crimes and crimes against humanity.

Former Liberian President Charles Taylor was convicted by the Special Court for Sierra Leone in 2012 for 11 counts of war crimes, crimes against humanity and other serious violations of international humanitarian law, committed in Sierra Leone. He was sentenced to 50 years imprisonment (both the conviction and sentence were upheld on appeal). He has not, however, been tried for crimes committed in Liberia. The Dutch court’s decision holding Mr Kouwenhoven accountable for his complicity in war crimes, therefore, not only puts businesses on notice about their potential criminal liability for doing business with (suspected) war criminals, but equally brings a small (if belated) measure of justice to victims in Liberia.

- To read the full article [click here](#)

UN Documents Syrian War Crimes, but Prosecution Moves Slowly

By Rick Gladstone, [New York Times](#)

The chairman of a [United Nations commission investigating possible war crimes in Syria](#) has met that country’s ambassador only once, he said. It happened during a chance encounter in a hallway after he had given a briefing to the General Assembly in New York. “Then for 15 minutes, he gave me a lecture,” the commission chairman, Paulo Sérgio Pinheiro, said of his exchange with the Syrian envoy, Bashar al-Jaafari. “We don’t have any hope that the Syrians will cooperate with us.”



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A rebel-held neighbourhood in Daraa, Syria, after air strikes on Sunday. Members of a United Nations commission investigating war crimes in Syria have not been allowed to visit the country. Getty Images

Members of the commission, created by the United Nations Human Rights Council in August 2011, have never been permitted to visit Syria by the government of President Bashar al-Assad, which appears to view them as accomplices of Mr. Assad's enemies. The commission, with a support staff of about 25 people, has collected an enormous volume of material, which could be used in courts, about the atrocities committed in the six-year-old civil war by both Mr. Assad's side and the

groups arrayed against him. The Syrian Mission to the United Nations did not respond to emails requesting comment.

The material collected from outside the country includes testimony from more than 1,400 witnesses and victims. The commission also reviews and corroborates photographs, video, satellite imagery, and forensic and medical reports from governments and nongovernmental sources to determine if there are "reasonable grounds to believe" an atrocity has been committed, according to its website.

"The fact that we don't have access to Syria doesn't mean that we don't have access to information inside Syria," Mr. Pinheiro said last week in an interview that included some of his colleagues. And, he said, the commission's work carries more credibility than evidence of war crimes in Syria compiled by other groups because its work is not financed by one side or the other. "A lot of organizations are documenting the war crimes, they are serious and committed people, but of course they are funded by states that have a vested interest," Mr. Pinheiro said. "At least we are being funded by the regular budget of the United Nations."

Besides Mr. Pinheiro, a Brazilian political scientist, his fellow commissioners are Karen AbuZayd of the United States, a longtime United Nations diplomat, and Carla Del Ponte of Switzerland, a former war-crimes prosecutor. They are also responsible for compiling a list of suspected perpetrators of war crimes in Syria, which is kept in a sealed envelope in the custody of the Office of the High Commissioner for Human Rights, Zeid Ra'ad al Hussein. Even Mr. Hussein has not seen the list, Mr. Pinheiro said.

Ravi Kumar Reddy, the legal adviser for the Syria commission, said the list was updated annually and would remain secret. Mr. Reddy would not disclose how many people were on the list, saying “it would be unwise.” But Mrs. AbuZayd said, “Not as many as you’d like to think.”

Mr. Pinheiro, Mrs. AbuZayd and some of their aides were in New York last week to meet with the United Nations secretary general, António Guterres, and to speak about some of their findings at an informal Security Council session. Mr. Pinheiro and his aides told them that increasing numbers of civilians were now concentrated in northern Syria, where much of the fighting was among militants whose alliances kept shifting. “New conflicts are emerging in which civilians are caught up between all these actors,” said Anis Anani, the commission’s political adviser. While the Islamic State militants are losing territory in northern Syria, he said, “it’s also giving way to unstable dynamics on the ground.” Whether the commission’s evidence will lead to an independent prosecution of suspected war crimes is unclear, even if the documentation is overwhelming. There is no clear path to make that happen.

The International Criminal Court, which was created for such a purpose, cannot open a case on Syria without a referral from the Security Council, where Russia — Syria’s ally — would almost certainly block it. “The prospect of an ICC referral is zero,” Mr. Pinheiro said. But Mr. Reddy said the commission had supplied some information to judicial authorities in approximately 10 countries where legal cases related to the Syrian war were underway. He declined to identify the countries or any of the cases.

Mr. Pinheiro’s commission also received a new source of support last December, when the United Nations General Assembly voted to create a separate panel to help lay the groundwork for possible prosecutions of Syria war crimes. The panel will “closely cooperate” with Mr. Pinheiro’s commission, the General Assembly’s resolution said. Mr. Pinheiro said that when he agreed to lead the effort in 2011, he believed it would last a year. The commission is already the longest-serving inquiry at the United Nations. “The war is not winding down,” he said.

Here’s how German courts are planning to prosecute Syrian war crimes

Washington Post, opinion by Pauline Brosch, Research Associate at the Global Public Policy Institute in Berlin

News from Syria, where an apparent chemical weapons attack has taken the lives of dozens of civilians (including children), reminds us once again of the desperate need for justice for those who have suffered atrocities in that country’s civil war. Yet there are grounds for hope. Last month, nine Syrian torture survivors filed a complaint with the German federal public prosecutor against a group

of high-ranking Syrian officials. The charges: war crimes and crimes against humanity. For the victims, German courts are their last hope for justice.

The international criminal justice system has failed to end impunity for Syrian war criminals. The ICC at The Hague has no authority to judge crimes committed in the war, since the government of President Bashar al-Assad has never acknowledged the court's jurisdiction. The U.N. Security Council could submit the case to the court, but China and Russia have blocked similar initiatives in the past.

With the international criminal law system deadlocked, and independent trials in Syria even more improbable, the responsibility shifts to prosecutors and courts in third states. They are the only ones who can help narrow the accountability gap in Syria and restore faith in international criminal justice. Germany is particularly well positioned to take action. Many of the Syrian refugees who have sought asylum in the country in recent years are victims of war crimes and crimes against humanity. Germany has at its disposal both the evidence and the legal tools to carry out investigations.

Crucially, Germany is one of the few countries in the world that has implemented the principle of pure universal jurisdiction, meaning that its prosecutors and courts are able to investigate, prosecute and pass verdicts on international crimes even in the absence of links to Germany. The presence of many Syrian victims and witnesses in Germany makes investigations far easier and less costly than in cases where the only evidence is located outside the country's borders.

We hope that an investigation rising from this latest complaint will illuminate the systematic and official character of the crimes committed by the Syrian regime. Supported by the Berlin-based European Center for Constitutional and Human Rights, the complaint targets six high-ranking officials in the Syrian military intelligence service, accusing them of systematic torture in secret prisons. One of the complainants is Syrian lawyer and activist Mazen Darwish, who has documented the arrest, disappearance and killing of activists. Darwish himself was arrested in 2012, and spent more than three years in different secret military prisons, where he was subjected to severe torture methods, including electric shocks and being hung by the hands for long periods.

Arrest warrants issued by German judges against these officials would already be a great success, signaling to perpetrators that their impunity in Syria is over and that they might be held accountable should they leave the country. Arrest warrants have a direct effect by limiting the freedom of movement. They also act as a deterrent against future perpetrators, thus helping to stop the violence.

The German federal public prosecutor opened investigations of international crimes in Syria soon after the outbreak of the conflict. Pending currently are two so-called structural investigations that focus not on specific suspects but on the entire situation of the civil war and all parties to the conflict. In one of these investigations, prosecutors are currently analyzing 28,000 photos of people

tortured to death in Syrian prisons. The photos were smuggled out of Syria by the former Syrian military photographer “Caesar” and are now at the disposal of prosecutors in Europe.

The Syria investigations by the federal public prosecutor have already led to a number of arrests and trials in Germany. Two German nationals, for instance, have already been sentenced to prison for war crimes they committed in the civil war. These trials should be seen as the first cracks in the wall of impunity in Syria.

Yet these particular verdicts bring little solace to the victims and have done little to restore justice in Syria. The majority of cases concerning Syria are prosecuted under terrorism charges, not framed as international crimes, and the few war crimes cases tend to involve unusual and specific incidents. What is more, the few war crime trials launched so far are all directed against members of terrorist groups, focusing on relatively low-ranking individuals. Until now, there has not been an individual case against actual members of the Assad regime.

The recent case brought before German prosecutors is only one piece in the puzzle leading to justice in Syria. On March 27, a Spanish judge agreed to initiate proceedings against high-ranking security and intelligence officials of the Assad regime. Other investigations are pending in France. We hope that other European countries will follow. Only by living up to our commitment to human rights and the rule of law can we hope to bring justice to the victims of the Syrian civil war.

Save the Date: Conference on ‘Punishing International Crimes in Domestic Courts’, 12 June, Amsterdam



Center for International Criminal Justice



Theme: Punishing International Crimes in Domestic Courts: Sentencing, Incarceration & Reintegration

Date: 12 June 2017

Venue: VU University Amsterdam, the Netherlands

The international community deems that international crimes, such as genocide, crimes against humanity and war crimes, cannot go unpunished. During the 1990s it significantly stepped up its ‘fight against impunity’ and established numerous international criminal courts and tribunals to prosecute and punish perpetrators of such atrocity crimes committed around the globe. Over the past decades, also domestic courts have increasingly prosecuted and punished perpetrators of

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international crimes. Perpetrators tried and sentenced at domestic courts clearly outnumber those at the international level. Domestic mass atrocity crimes trials, however, have so far attracted only limited attention in international criminal justice discussions and scholarship. In particular, little attention is given to the sentencing and post-sentencing phase in these domestic contexts.

As many have argued, the future of criminal justice for mass atrocity crimes is domestic. For this reason, learning lessons from past domestic trials is increasingly relevant. The purpose of this one-day conference in Amsterdam is to bring together scholars and practitioners to discuss practices and challenges with regard to sentencing, incarceration and reintegration of perpetrators of international crimes in domestic contexts. This meeting aims to bring together experts from the legal institutions in The Hague and from various countries around the globe to promote a cross-border, cross-disciplinary dialogue about the practices and challenges of punishing perpetrators of mass atrocity crimes in domestic trials.

The conference is being organised by the Centre for International Criminal Justice (CICJ), VU University Amsterdam and is supported by a VENI research grant from NWO. Further details of the affiliated project 'Vertical (In)consistency of International Sentencing' are available [here](#).

The War Report: Armed Conflicts in 2016

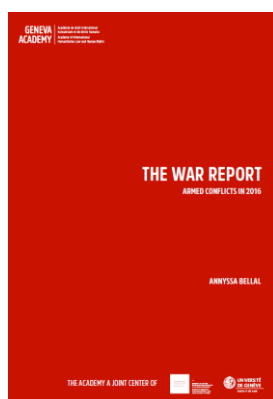
In 2016, 49 situations of armed violence amounted to armed conflicts according to international humanitarian law and international criminal law. The vast

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Academy of International
Humanitarian Law and Human Rights

majority are non-international armed conflicts, as in preceding years, highlighting the changing nature of warfare. The Geneva Academy's analysis highlights two trends: the heavy toll of current armed conflicts on civilians often trapped in sieges and battlefields in cities and increased

international interventions in conflicts.



The 100 page **War Report** identifies, describes, and discusses the situations of armed violence that amounted in 2016 to armed conflicts, in accordance with the definitions under international humanitarian law (IHL) and international criminal law (ICL).

In 2016, at least 49 armed conflicts occurred on the territory of 28 states and territories: Afghanistan, Azerbaijan, Colombia, Cyprus, the Democratic Republic of Congo (DRC), Egypt, Eritrea, Georgia, Iraq, India, Lebanon, Libya, Mali, Moldova, Myanmar, Nigeria, Pakistan, Palestine, the Philippines, Somalia, South Sudan, Sudan, Syria, Thailand, Turkey, Ukraine, Western Sahara, and Yemen.

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News April 2017

Click on the hyperlinked headlines to see the full articles of international criminal justice news from the previous month.

28 April

[France court refuses to extradite former Kosovo prime minister who faces war crime charges in Serbia](#)

(Jurist)

A French court has refused an extradition request for former Kosovo prime minister Ramush Haradinaj, who is facing war crime charges in Serbia. The court released Haradinaj shortly thereafter giving the parties five days to appeal. The Serbian government has stated the decision is unlawful and has recalled its ambassador in protest. Representatives of the former prime minister state that extradition would have led to an unfair and unbalanced trial...

27 April

[France court refuses to extradite former Kosovo prime minister](#)

(Jurist)

A French court on Thursday refused an extradition request for former Kosovo prime minister Ramush Haradinaj, who is facing war crime charges in Serbia...The Serbian government has stated the decision is unlawful and has recalled its ambassador in protest. Representatives of the former prime minister state that extradition would have led to an unfair and unbalanced trial...

26 April

[Was America's Attack on Syria Legal? An Asian Expert's View](#)

(Pass Blue)

The US action divided world opinion, and the debate continues on the legality of the unilateral use of force, as it has far wider implications not just in Syria but also elsewhere in the world, particularly when tensions are rising over North Korea. The use of force is permitted under international law in three circumstances: individual self-defense, collective self-defense and enforcement of resolutions under Chapter 7 of the United Nations Charter. The US justified its use of force on April 7 to deter further use and potential

proliferation of banned chemical weapons by Syria...

25 April

[Serbian Ex-War Crimes Prosecutor: Srebrenica was Genocide](#)

(Balkan Transitional Justice)

Ex-prosecutor Vladimir Vukcevic told a panel discussion at the Centre for Cultural Decontamination in Belgrade on Monday that politicians are constantly playing political games with the facts about what happened in Srebrenica, but that it should be described as genocide. "Did genocide happen in Srebrenica? Yes, it did happen. You have a decision from the International Court of Justice which says that genocide did indeed happen, and that's that," Vukcevic told the discussion, which was entitled '22 years After the Conflict: Is the War Crimes Story Over?'...

24 April

[Montenegro to Try Kosovo War Murder Suspect](#)

(Balkan Transitional Justice)

Montenegrin citizen Vlado Zmajevic, suspected of killing of at least six ethnic Albanians in Kosovo in 1999, will go on trial for war crimes on May 10. It will be the first war crime trial in Montenegro in several years; the country's judiciary has tried only six cases so far, which all concluded by 2013, the majority ending in acquittals. Zmajevic, who was part of Yugoslav Army forces fighting in Kosovo in 1998 and 1999, was arrested by Montenegrin police in last August in the town of Niksic...

[Libya: ICC Pre-Trial Chamber I unseals a warrant of arrest for Al-Tuhamy Mohamed Khaled](#)

(ICC Press Release)

Pre-Trial Chamber I of the ICC unsealed the warrant of arrest for Al-Tuhamy Mohamed Khaled allegedly responsible for war crimes and crimes against humanity in the context of the situation in Libya in 2011... The warrant of arrest was issued under seal on 18 April 2013. Mr Al-Tuhamy is charged with four crimes against humanity (imprisonment, torture, persecution, and other inhumane acts) allegedly committed in Libya from 15 February 2011 until 24 August 2011, and with three war crimes (torture, cruel treatment and outrages upon personal dignity) allegedly

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committed in Libya from at least early March 2011 to 24 August 2011...

[The Holocaust: Who are the missing million?](#)

(BBC)

Six million Jews were murdered by the Nazis and their accomplices during World War Two. In many cases entire towns' Jewish populations were wiped out, with no survivors to bear witness - part of the Nazis' plan for the total annihilation of European Jewry. Since 1954, Israel's Holocaust memorial, Yad Vashem ("A Memorial and a Name"), has been working to recover the names of all the victims, and to date has managed to identify some 4.7 million...

[The ICC's Afghanistan Investigation: The Missing Option](#)

(Lawfare, by Luis Moreno Ocampo)

Former ICC Prosecutor Luis Moreno Ocampo responds in this piece to a February [Lawfare post](#) by David Bosco in which he analyzed the different possible US responses to the pending decision of the current ICC Prosecutor on whether to open an investigation into US detention practices and alleged torture in Afghanistan...

[Lawyer of "self-confessed hitman" sends communication on Philippines President Duterte and 11 government officials to the ICC OTP](#)

(PhilStar)

The lawyer of self-confessed hitman Edgar Matobato on Monday filed a complaint against President Rodrigo Duterte and 11 other government officials before the ICC. Lawyer Jude Sabio accused Duterte of being a "mass murderer" and asked the international court to prosecute him over his involvement in the so-called Davao Death Squad...

21 April

[Rwandan jailed for life for genocide crimes](#)

(Defence Web)

A Rwandan accused of leading and co-ordinating attacks on minority Tutsis during Rwanda's 1994 genocide was sentenced to life imprisonment for his role in the mass slaughter, Rwanda's high court said. In the genocide, an estimated 800,000 ethnic Tutsis and moderate Hutus were killed in just 100 days. Bernard Munyagishari, who headed a

government-allied militia known as the Interahamwe in Rwanda's west, was convicted of genocide and crimes against humanity...

20 April

[Kosovo citizen indicted for alleged war crimes in 1999](#)

(Fox News)

Kosovo prosecutors have accused a citizen of war crimes during the 1998-99 war against Serbia. A statement of the European Union Rule of Law Mission in Kosovo, or EULEX, said Thursday that a police reservist, identified only as Z.V., was charged with war crimes against the civilian population while serving as a police reservist with the local authorities and at a detention center in northern Kosovo...

19 April

[Discovery of more mass graves reveal 'unfolding horror' in DR Congo – UN rights chief](#)

(UN News Centre)

Raising alarm over increasing reports of serious human rights violations in the Kasai Central and Kasai Oriental provinces of Democratic Republic of the Congo, the United Nations human rights chief underscored that the scale and nature of the allegations could warrant an investigation by an international mechanism, such as the ICC. According the Office of the UN High Commissioner for Human Rights (OHCHR), between 5-7 April, a team of UN human rights and police officials found 17 further mass graves in the Kasai Central province, which had been the location of clashes between security forces and the Kamuina Nsapu, a local militia...

[Witness Says Prosecution Never Followed Up on Sexual Crimes Allegations Made to Government Commissions](#)

(OSJI)

A senior prosecutor told Kenya's High Court the Directorate of Public Prosecutions has never followed up on allegations of sexual crimes made to two government-appointed commissions that investigated the violence that followed the 2007 presidential election. Jacinta Nyaboke Nyamosi told the court on Wednesday that as head of the Sexual and Gender-Based Violence Division at the directorate she had not asked the commissions



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that investigated the violence that occurred between December 2007 and February 2008 to share the complaints they received...

[Uganda ends hunt for LRA leader Joseph Kony](#) (BBC)

Ugandan troops have pulled out of the hunt for rebel leader Joseph Kony in the Central African Republic (CAR), the army has said. He and his Lord's Resistance Army (LRA) group had become "weak", and no longer threatened Uganda, it added. The LRA was notorious for chopping off people's limbs and abducting children to use as soldiers and sex slaves. Mr Kony, wanted on war crimes charges, first emerged in Uganda but fled more than a decade ago...

18 April

[Opening of UN files on Holocaust will 'rewrite chapters of history'](#)

(The Guardian)

War crimes files revealing early evidence of Holocaust death camps that was smuggled out of eastern Europe are among tens of thousands of files to be made public for the first time this week. The once-inaccessible archive of the UN war crimes commission, dating back to 1943, is being opened by the Wiener Library in London with a catalogue that can be searched online. Nuremberg trials interpreter Siegfried Ramler: 'The things we saw were shocking'. The files establish that some of the first demands for justice came from countries that had been invaded, such as Poland and China, rather than Britain, the US and Russia, which eventually coordinated the post-war Nuremberg trials...

16 April

[UK attorney general in bid to block case against Tony Blair over Iraq war](#)

(The Guardian)

The government's top law officer is going to court to demand the rejection of an attempt to prosecute Tony Blair over the Iraq war, the Guardian has learned. The planned intervention by the attorney general comes after a judge ruled the former Labour prime minister had immunity from the attempt to bring a criminal charge against him and that pursuing a prosecution could "involve details being disclosed under the Official Secrets

Act". The private prosecution relates to the 2003 Iraq war and seeks the trial in a British court of then prime minister Tony Blair, the foreign secretary Jack Straw, and Lord Goldsmith, the attorney general at the time. It seeks their conviction for the crime of "aggression" and is based on the damning findings of last year's Chilcot report into the British decision to join the invasion of Iraq, under the false pretext that the Saddam Hussein regime had weapons of mass destruction...

15 April

[As atrocities mount in Syria, justice seems out of reach](#)

(New York Times)

Three tons of captured Syrian government documents, providing a chilling and extensive catalog of the state's war crimes, are held by a single organization in Europe. A Syrian police photographer fled with pictures of more than 6,000 dead at the hands of the state, many of them tortured. The smartphone alone has broken war's barriers: Records of crimes are now so graphic, so immediate, so overwhelming. Yet six years since the war began, this mountain of documentation — more perhaps than in any conflict before it — has brought little justice. The people behind the violence remain free, and there is no clear path to bring the bulk of the evidence before any court, anywhere...

13 April

(allAfrica)

[Africa: Uganda Attorney General Assures MPs That Threats to Pull Out of the ICC Have No Basis](#)

Uganda's Attorney General on April 4 assured proponents of the ICC that the government will not live up to its threats to pull out of the court, despite President Yoweri Museveni's consistent tongue lashing of the court. William Byaruhanga, in a statement short on detail and clarity, assured parliament that the Executive had not yet made up its mind on pulling out from the ICC, which has been chastised by African leaders in a chorus led by among others, President Museveni as "a fascist tool targeting African leaders" while abetting war crimes by the West. Mr Byaruhanga told legislators, "I wish to restate that Uganda has not yet decided to withdraw from ICC and continues to



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co-operate with it. Accordingly the apprehension that we are withdrawing from the Rome Statute both within and abroad is purely based on conjecture."...

[Human rights groups call for the opening of an ICC investigation into the situation in Afghanistan](#)

(FIDH, opinion)

Ten years after the opening of a preliminary examination on Afghanistan by the ICC Office of the Prosecutor into the international crimes committed since May 2003, FIDH and its member organisations OPEN ASIA / Armanshahr and Center for Constitutional Rights (CCR), as well as the Afghanistan Transitional Justice Coordination Group (TJCG) call upon the ICC Prosecutor to request the opening of a full investigation into the situation in Afghanistan...

[Srebrenica's Serb Mayor Repeats Denial of Genocide](#)

(Balkan Transitional Justice)

Mladen Grujicic told N1 TV on Wednesday evening that he did not believe that the Srebrenica massacres were genocide, despite the rulings of international and Bosnian courts... Grujicic, a former chemistry teacher, is the first Serb mayor of the town, elected amid some controversy in October last year because until then, the local municipality chief had always been a Bosniak. His election raised concerns among many Bosniaks, who feared that he would ignore or even actively undermine their status in Srebrenica...

12 April

[Female candidates sought to fill six spots on ICC judges' bench](#)

(CICC, opinion)

For the ICC to be recognized as a truly independent and effective international tribunal that ensures fairness in its procedures and trials, the Court's chambers must be composed of impartial and highly qualified judges – both female and male. From 24 April, ICC member states can nominate candidates for election to six soon-to-be vacant judicial positions at The Hague-based Court. The elections will take place during the 16th annual Assembly of States Parties (ASP) session in December 2017 in New York. The election follows the Court's regular judicial elections process, which

replaces a third of the 18 judges' bench every three years. The new judges will serve a nine-year term from March 2018. With its leading role as a model institution for the advancement of women's rights, the nomination of female candidates will be especially important for these upcoming elections. As five of the six outgoing ICC judges are women, unequal gender representation is a notable issue among the 12 remaining judges...

11 April

[Gambia's Justice Minister joins protest against Jammeh-era atrocities](#)

(Africa News)

Gambian Justice Minister, Abubacar Tambedou, joined scores of protesters who took to the streets on Monday demanding justice for atrocities committed during the reign of former President Yahya Jammeh. The over 150 young protesters marched in memory of over a dozen students who were killed in April 2000. Local media portals report that aside from the deaths, 30 other protesters were injured but have yet to get justice. The deaths which were recorded over two days (April 10 and 11) 17 years ago were believed to have been on the orders of Yahya Jammeh...

[War Justice Strategy for Kosovo Undermined by Divisions](#)

(Balkan Transitional Justice)

Kosovo's Inter-Ministerial Working Group on Dealing with the Past and Reconciliation (IMWG) has been working since 2012 on developing a National Strategy on Transitional Justice - but with no public draft yet published, questions are being asked about why it has failed to live up to expectations...

[Fatou Bensouda: Critics 'don't understand the ICC'](#)

(Deutsche Welle)

Has the ICC been biased against Africa in its investigations of war crimes and crimes against humanities? DW's Abu-Bakarr Jalloh and Mohammed Khelef spoke exclusively to the Chief Prosecutor of the ICC, Fatou Bensouda, at the Mo Ibrahim's Governance Weekend in Marrakesh, Morocco, in a live interview on Facebook. Viewers also had an opportunity to ask questions...



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10 April

[Rights organizations call on Zambia to remain in ICC](#)

(Jurist)

Numerous African and international nongovernmental organizations urged Zambia to reaffirm its membership in the ICC on Monday. The calls come in response to the African Union's (AU) decision to adopt an "ICC withdrawal strategy" back in February. Zambia, as a member of the Southern Africa Development Community (SADC), was a vocal party during the weeks of negotiations which lead to the Rome Statute and was one of the first nations to sign and later ratify the document. If Zambia is to reaffirm its membership, it would join 14 other African nations who have reaffirmed their membership after the AU's announcement...

[11 Years, \\$300 Million and 3 Convictions. Was the Khmer Rouge Tribunal Worth It?](#)

(New York Times)

After spending more than a decade and nearly \$300 million, the United Nations-backed tribunal prosecuting the crimes of the Khmer Rouge has convicted just three men. It appears now that they could be the only people to answer in court for the deaths of at least 1.7 million Cambodians from 1975 to 1979 in one of the worst episodes of mass killing in the last century. Three more potential defendants have been investigated by the tribunal, an ungainly mix of Cambodian and international prosecutors and judges. But because of resistance on the Cambodian side, there are serious doubts that their indictments will proceed...

[Judge opens 1st case on Assad regime's alleged war crimes](#)

(CBS News)

A judge in Spain has begun hearing testimony against potential war crimes by President Bashar Assad's regime in Syria. The plaintiff, Amal Hag Hamdo Anfalis, is a Spanish national whose brother was allegedly abducted and tortured in the Syrian capital of Damascus, before being executed in 2013... Assad himself is not being investigated... but nine of his close aids in the security and intelligence apparatus are, including long-time Vice President Farouk al-Sharaa and intelligence chief Ali Mamlouk. The nine could face charges related to terrorism as well as for forced disappearance

under Spain's universal jurisdiction laws, according to the judge. Spain has previously taken up universal justice cases against foreign nationals although almost none gone to trial...

[Illegal But Legitimate?](#)

(EJIL)

...In sum, whether you believe that the law can be broken for higher causes, or that the law should or already does accommodate humanitarian intervention, this is not where you fight the good fight. This is not Rwanda in 1994. This is not even Serbia and Kosovo in 1999, where – although it was my city being bombed, while I was in it – I can still accept an arguable interventionist case could perhaps have been made. This is as far from a humanitarian intervention on the legal spectrum as Trump is from Gandhi on the human spectrum. This is a clearly, unambiguously illegal use of force. And it may yet become a complete shit-show...

9 April

[Newspaper headlines: 'Russia accused over Syria war crime'](#)

(BBC)

The papers are again dominated by the after-effects of US President Donald Trump's airstrikes on a Syrian military base. The Sunday Times says that, following the cancellation of Foreign Secretary Boris Johnson's trip to Moscow, Britain and America will this week accuse Russia of complicity in war crimes in Syria, and demand Russian President Vladimir Putin pull the rug from what it calls Bashar al-Assad's blood-soaked regime...

[Syria: The \(Il\)legality of the United States' Use of Force Against Assad](#)

(IntLawGrrls)

On 6 April, the United States unilaterally used force in Syria, against President Assad's regime, in response to Assad's alleged use of chemical weapons against a Syrian town and region. Despite a humanitarian crisis that has been ongoing in Syria for several years, the United Nations Security Council has remained deadlocked, in light of the Russian and Chinese veto regarding any resolution that would have authorized a multilateral use of force. The United States thus acted alone – potentially breaching both



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international and domestic law. This post examines the legality of United States' actions under international and domestic law...

8 April

[Deportation as a Crime Against Humanity](#)

(Jurist, opinion)

President Trump's policy decision to deport undocumented immigrants is a crime against humanity, particularly with respect to families who have settled in the US for long periods of time, have established homes, or have minor children. It is irrelevant whether these residents entered or stayed in the US illegally. Deportation of a settled family or community is a violation of right to life, right to family, right to property, right to privacy, and numerous other rights protected under customary international law, human rights treaties, due process, and fundamental legal principles that sustain the concept of law...

7 April

['Learn the lessons of Rwanda,' says UN chief, calling for a future of tolerance, human rights for all](#)

(UN News Centre)

Marking the twenty-third anniversary of the 1994 genocide against the Tutsi in Rwanda, during which Hutu and others who opposed the genocide were also killed, United Nations Secretary-General, António Guterres today said the only way to honour the memory of the victims is to ensure such events never happen again...

[The Spoils of War: Trump Lavished With Media and Bipartisan Praise For Bombing Syria](#)

(The Intercept, opinion)

In every type of government, nothing unites people behind the leader more quickly, reflexively or reliably than war. Donald Trump now sees how true that is, as the same establishment leaders in U.S. politics and media who have spent months denouncing him as a mentally unstable and inept authoritarian and unprecedented threat to democracy are standing and applauding him as he launches bombs at Syrian government targets...

[Report South Africa or risk impotence, ICC told](#)

(Reuters)

Prosecutors at the ICC urged judges on Friday to report South Africa for defying an arrest warrant for Sudan's president, saying failure to do so could render the court unable to perform its most basic duties. South Africa told the ICC it believed it was under no obligation to arrest Omar Hassan al-Bashir during a visit to South Africa two years ago even though he was wanted by the permanent war crimes court...

6 April

[Strengthening the UN Response to Sexual Exploitation and Abuse](#)

(UN News Centre)

Following his analysis of the report of the High-Level External Independent Review Panel on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic, former United Nations Secretary-General Ban Ki-moon appointed Jane Holl Lute of the United States as Special Coordinator on improving the Organization's response to sexual exploitation and abuse, in February 2016. Almost a year later, on 6 January 2017, the current Secretary-General, António Guterres, asked Ms. Lute to lead a high-level task force to improve United Nations approach for preventing and responding to sexual exploitation and abuse...

5 April

[Bosnia Awaits Extradition of Nine War Crimes Suspects](#)

(Balkan Transitional Justice)

Bosnia and Herzegovina is expecting the extradition of nine more war crimes suspects, after 28 others have already been sent back to face charges, according to estimates. Most of those extradited to the country so far had been living in the US. According to the Bosnian state court, there are currently at least 20 active arrest warrants for war crimes suspects believed to be living abroad...

[Is the world's highest court fit for purpose?](#)

(The Guardian)

The International Criminal Court was set up to deal with the worst criminals in the world. But as African countries threaten to leave and the US withdraws funding, how can it wield justice more effectively?...

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[ANALYSIS: Syria justice held hostage by geopolitics amid gas attack](#)

(Middle East Eye)

United Nations Security Council talks on Syria hit a familiar snag on Wednesday, with clashes between the United States, Russia and other members blocking action on the latest case of poison gas killings in the country's civil war... The UN's 15-nation council is the only body empowered to kick-start a probe by the ICC, a permanent war crimes tribunal with jurisdiction across much of the globe, but none in Syria, which never signed the court's treaty. In 2014, Russia and China vetoed Syrian atrocities being referred to the ICC. Another option on the council table – creating a bespoke, UN tribunal like those used after genocides in Cambodia and Rwanda – would likely fail for the same reason. With the administration of US President Donald Trump edging closer towards accommodating Russian and Iranian efforts to keep Assad in power once the six-year-old war grinds to a halt, prospects for justice are bleak...

4 April

[Supreme Court upholds Tamil Tigers' convictions in the Netherlands for offences committed during conflict in Sri Lanka](#)

(Rechtspraak.nl)

The Supreme Court of the Netherlands has determined that Dutch criminal law can be applied to members of an armed opposition group who commit terrorist offences outside the territory of the Netherlands in the course of an internal armed conflict. International humanitarian law (also known as the law of war) does not apply exclusively to such cases in a manner that renders general criminal law inapplicable. The Supreme Court made this ruling in the context of criminal proceedings against 'Tamil Tigers' convicted in the Netherlands for involvement in the group 'Liberation Tigers of Tamil Eelam' (LTTE). The five defendants were convicted among others for participating, in the period from October 2003 to April 2010, in an international criminal organisation (LTTE) which had the aim of committing terrorist offences in Sri Lanka...

[UN war crimes investigators say probing alleged Syria gas attack](#)

(Reuters)

United Nations war crimes investigators said on Tuesday they were looking into an alleged chemical weapons attack on a Syrian town in Idlib as well as reports of a subsequent attack on a medical facility where injured people were being treated...

[Can Spanish courts find justice for the victims of Syria's atrocities?](#)

(The Washington Post)

The appalling news of an apparent chemical attack against civilians in Syria's Idlib province reminds us once again of the elusiveness of justice for the countless victims of the civil war. The seemingly dead end of international justice has led some victims and activists to national courts far from battle-scarred Syria. And in what could be an important breakthrough, a Spanish judge last week authorized an investigation into alleged crimes by nine senior Syrian officials... The Spanish court's decision offers a glimmer of hope that the regime's crimes might be addressed in a credible court. But the case is also exposing a long-running debate in Spain — and within Spain's judiciary — about how many of the world's ills its courts can handle...

3 April

[The Bystander Dilemma](#)

(IntLawGrrls)

Debates about conflict, crime and accountability often centre on the victims and the perpetrators — protection of victims; search for, prosecution and punishment of perpetrators; compensation, restitution and acknowledgement for victims. These are, of course, essential questions and issues. But any situation of violence, from random street crime to the largest atrocities, involves a more complex cast of characters than the two main protagonists. Examining the roles, potential and obligations of that vast space between victim and perpetrator offers an opportunity to explore challenging questions about human security, responsibility, and the intersection between law, morality and the social contract...

[Ríos Montt to Face Second Genocide Trial for the Dos Erres Massacre](#)

(International Justice Monitor)

A judge has determined that there is sufficient evidence to send former Guatemalan dictator



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Efraín Ríos Montt to trial for the case of the Las Dos Erres massacre. This is the second trial Ríos Montt will face in which he is charged with genocide and crimes against humanity. According to Guatemala's Historical Clarification Commission, the Dos Erres massacre took place over three days in early December 1982 and was carried out by a counterinsurgency unit known as the Kaibiles. At the time, Ríos Montt was de facto president and commander-in-chief of the army...

2 April

[Hard rules for rotten wars](#)[When is it OK to shoot a child soldier?](#)

(The Economist)

One of the worst dilemmas soldiers face is what to do when they confront armed children. International law and most military codes treat underage combatants mainly as innocent victims. They offer guidance on their legal rights and on how to interrogate and demobilise them. They have little to say about a soul-destroying question, which must typically be answered in a split second: when a kid points a Kalashnikov at you, do you shoot him? Last month Canada became the first country to incorporate a detailed answer into its military doctrine. If you must, it says, shoot first...

[ICC chief lauds Japan's commitment but is concerned court is underrepresented in Asia](#)

(The Japan Times)

On a swing through Northeast Asia over the weekend, Silvia Fernandez de Gurmendi, the first female head of the International Criminal Court, lauded Japan's commitment to the relatively young institution but voiced concerns about underrepresentation in Asia. While the ICC boasts 124 countries and regions as members, including Japan — its top financial contributor — the court, which brings to justice individuals accused of genocide, crimes against humanity and war crimes, has faced an ongoing challenge in Asia...

[Met police look at allegations of Saudi war crimes in Yemen](#)

(The Guardian)

Scotland Yard is examining allegations of war crimes by Saudi Arabia in Yemen, the Guardian can reveal, triggering a possible diplomatic row with Britain on the eve of Theresa May's visit to the Arab state. The Metropolitan police confirmed that their war crimes unit was assessing whether criminal prosecutions could be brought over Saudi Arabia's devastating aerial campaign in Yemen...

Quick links

The following are some useful research links:

- FICJ [Resource Library](#): research tools, best practice reports, commentaries and more
- FICJ [Global Legal Developments](#): specialised units, legislation, international & national cases
- International Criminal Court Legal Tools Database: an electronic library on international criminal law and justice with over 41,000 documents: [browse](#) | [search](#) | [annotated Rome Statute](#) | [annotated Rules of Procedure and Evidence](#) | [National Implementing Legislation Database](#)
- International Criminal Tribunal for the Former Yugoslavia [Legal Library](#)
- International Criminal Tribunal for Rwanda [Documents](#)

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