

WAR CRIMES PROSECUTIONS AROUND THE WORLD

(Based on *Fewer Places to Hide?* by Joseph Rikhof, available on the CCIJ's website)

The number of trials for war crimes, genocide, crimes against humanity and other severe human rights abuses, whether in international tribunals or domestic courts, has increased greatly in the last 15 years.

International or Internationalized Tribunals

As of April 1, 2009, international or internationalized tribunals – namely the International Criminal Court (ICC), International Criminal Tribunal for the Former Yugoslavia (ICTY), The International Criminal Tribunal for Rwanda (ICTR), the Special Court for Sierra Leone (SLSC) and the Extraordinary Chambers in the Courts of Cambodia (ECCC) – have convicted 107 persons (out of 279 indictments) for genocide, crimes against humanity and war crimes.

- The ICC started operating in 2002 and has indicted 12 people, three of whom are in custody. The first trial began in January 2009.
- The ICTY has indicted 161 people, with 62 convictions and 11 acquittals with other cases transferred to national courts.
- The ICTR has indicted 90 persons with 37 convicted and five acquitted and three transferred to national courts.

Four of these courts are “hybrid” tribunals with a mix of local and international judges.

- The SLSC has indicted twelve people; eight have been tried.
- The ECCC has five people in custody and one trial has started.
- The Indonesian Ad Hoc Court Tribunal for East Timor completed its work in 2005 after convicting 84 defendants and acquitting three.
- Internationalized courts in Kosovo and Bosnia-Herzegovina have convicted 39 people.

National Courts

Numerous war crimes trials have proceeded in national courts. The first category of cases includes those in which the defendant is a national of the prosecuting country or the prosecuting country is the place where the abuses occurred.

- Cases have gone forward in 23 countries (six in Europe, seven in Latin America, three in Asia and seven in Africa).
- These have led to over 10,000 convictions.

Other national court trials have been based on the concept of universal jurisdiction, in which the defendant had no prior connection to the prosecuting country but was, in most cases, physically present there when an arrest was made or the trial commenced.

- Thirteen European countries have conducted prosecutions since 1992, most of them coming since 2000, which have led to 24 convictions and five acquittals.
- Canada and the United States have each convicted one person under universal jurisdiction laws, although the basis for the U.S. prosecution was the defendant's U.S. citizenship.

In all, 40 countries have taken steps to prosecute perpetrators of war crimes, genocide, crimes against humanity and other severe human rights abuses. 21 of those were the nations where the crimes actually occurred, resulting in over 10,000 convictions.

Overall

130 people have been convicted by a combination of the five international tribunals and 17 countries employing universal jurisdiction laws. In total, 16 heads of state, including one still in power, have been indicted by these international and domestic tribunals.