



International Criminal Tribunal for Rwanda. Legal Library and Reference section

## NEW ACQUISITIONS & HIGHLIGHTS

July 2006

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CallNo : 06HC003

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Full text available at : [http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/review-857-p175/\\$File/irrc\\_857\\_Henckaerts.pdf](http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/review-857-p175/$File/irrc_857_Henckaerts.pdf)  
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## NEW BOOKS



### **Les crimes contre l'humanité dans le Statut de la Cour pénale internationale** **Philippe Currat**

2006, SCHULTHESS ISBN 3-7255-5122-7

Call No 06HC003

Le Statut de Rome créant la Cour pénale internationale, entré en vigueur le 1er juillet 2002, confère à la Cour la compétence de juger, notamment, les auteurs de crimes contre l'humanité, pour la première fois définis conventionnellement en droit international. L'auteur apporte une définition de ces crimes en analysant le texte du Statut en conformité avec les droits de l'homme internationalement reconnus. L'attaque généralisée et systématique, qui confère aux crimes contre l'humanité leur gravité particulière, le meurtre, l'extermination, la réduction en esclavage, la déportation et le transfert forcé de population, l'emprisonnement, la

torture, le viol et toutes les autres formes de violence sexuelle de gravité comparable, la persécution, les disparitions forcées de personnes, le crime d'apartheid et les autres actes inhumains de caractère analogue trouvent leur définition pénale en rapport constant avec les droits de l'homme et avec la jurisprudence des TPIY et TPIR. L'auteur aborde ensuite la manière de commettre les crimes contre l'humanité, montrant l'importance d'actions criminelles collectives, organisées et hiérarchisées par l'analyse de la responsabilité pénale individuelle, de celle des chefs militaires et autres supérieurs hiérarchiques ou de l'exécutant.

## NEW BOOKS



### **The Rome Statute and Domestic Legal Orders Volume II: Constitutional Issues, Cooperation and Enforcement** Claus Kreß/Flavia Lattanzi/Bruce Broomhall/Valeria Santori (eds.)

2005, XXVIII, 548 (576), with CD, ISBN 88-87847-03-7  
Call No 06HC004

#### **EDITORS' NOTE**

In 2000, the Teramo Research Group concluded the first part of its work and the first volume of *The Rome Statute and Domestic Legal Orders* was published. This volume dealt with what were the two most burning issues at the time, the general strategy of ratification and implementation and the analysis of possible constitutional obstacles. By then, on the one hand the Research Group has moved

to Rome (now the Rome Research Group) and, on the other hand, our comparative research has extended beyond its prior focus on southern Africa and Europe and has evolved to a legal comparison with a global reach. As a result, the collection includes national reports on Argentina (Silvia A. Fernandez de Gurmendi and José Luis Fernandez Valoni), Australia (Helen Brady), Austria (Irene Gartner), Canada (Kimberly Prost and Darryl Robinson), Finland (Risto Eerola and Asko Välimaa), France (Gilbert Bitti), Georgia (Merab Turava), Germany (Claus Kreß and Jan MacLean), Ireland (Barbara Roche), Mexico (Socorro Flores Liera), The Netherlands (Göran Sluiter), New Zealand (Juliet Hay), Norway (Rolf Fife), Poland (Beata Ziorkiewicz), Slovenia (Marko Bošnjak and Dean Zagorac), South Africa (Sivuyile Maqungo), Spain (Héctor Olásolo), Sweden (Hakan Friman), Switzerland (Jürg Lindemann and Olivier Thormann), The United Kingdom (Peter Lewis), Arab States (Adel Maged), The Commonwealth of Independent States (CIS) (Nizami A. Safarov).

The subject matter of this volume is two-fold: first, the comparative constitutional law analysis is pursued further with a view to a number of States Parties which had not been the object of our research for the first volume. In this respect, it is worth mentioning that the reports on the Arab States (Adel Maged) and on the States forming the Commonwealth of Independent States (Nizami A. Safarov) present the picture of two regions where, deplorably, many States have not yet taken the crucial step to ratify the Rome Statute. The new information on the constitutional questions pertaining to the ratification of the Statute is synthesized by Helen Duffy.

Second, wherever the respective legislative work has been completed, the national reports move on to the area of State cooperation with the ICC. No less than in the area of constitutional law, the obligations stemming from the Rome Statute in the field of (often so called vertical) cooperation present new challenges to national legislators and it is fascinating to see in what different ways the latter have reacted to that challenge. Two of us have attempted to synthesize the emerging comparative picture of the various national approaches.

In the editors' note to the first volume it was stated that the latter volume marked the beginning of the work in progress. At the time of the publication of this second volume the global process of adjusting the national legal orders to the emerging system of international criminal justice continues and has by no means reached its stage of completion. Sadly, many States Parties, amongst which are not few who rarely fail to emphasize their strong support for the ICC in ceremonial speeches, have not yet finalized their implementing legislation *stricto sensu*. Much more understandably, many States (Parties and others) are still pondering about the best way to make their substantial criminal law accurately reflect the evolution reached at the international level, including the Rome Statute as the most important pillar. The Rome Research Group will continue to closely follow these developments to present them to an interested international readership in one or more volumes to follow in due course.

We would like to thank all contributors to this volume for their dedicated work and for the patience in awaiting this collection taking its final shape. As in the case of the first volume, we wish to stress that all chapters of this book have been written in the private capacities of the authors and do not necessarily represent the opinions of any government or other institution. This volume has been finalized in September 2005.

Claus Kreß, Flavia Lattanzi, Bruce Broomhall and Valeria Santori

# CONFERENCE ALERTS

## International Service for Human Rights Geneva Training Course - Treaty Bodies (GTC - TB)

**The deadline for applications for the 2006 GTC-TB is August 31, 2006.**

**The course will run from 13 to 24 November, 2006**

For the last 20 years the International Service for Human Rights (ISHR) has provided practical human rights training to human rights defenders and public institutions around the world, empowering them to access and use international human rights procedures, standards and mechanisms. Over 450 human rights defenders from over 110 countries have so far participated in ISHR training. Most participants have gone on to become leading human rights defenders in their countries and regions.

The main objective of GTC-Treaty Bodies course is to empower organisations by training a representative to effectively use the United Nations Treaty Body (TB) system. The course is designed for experienced human rights activists and organisations that have the capacity to use the international human rights systems, in particular the Treaty Bodies in their everyday work. Besides providing participants with an introduction to international law, the course will also include lectures on intergovernmental organisations, international relations and lobbying and advocacy techniques.

The training will focus on the work of the UN treaty bodies with an emphasis on the Committee Against Torture (CAT) and the Committee for Economic, Social and Cultural Rights (CESCR) which will be in session at the time of the training. Participants will have the opportunity to participate in the sessions, meet with committee members, other UN officials and members of International NGOs, as well as members of regional and local NGOs that will be present in Geneva attending the Committees.

Main characteristics of the course

The GTC – Treaty Bodies is an annual training course, which takes place during the sessions of two of the seven treaty bodies: the Committee against Torture (CAT) and the Committee on Economic, Social and Cultural Rights (CESCR) in November. The course provides a short introduction to international human rights law, procedures and issues of the different UN mechanisms, and the structure and function of the treaty bodies.

The course will be a very practical one, highly oriented in the use of the international human rights system, especially the treaty bodies. By the end of the course participants will have:

- Understood the TB system and its relationship within the larger international human rights system.
- Analysed in depth the State reporting process and the role of NGOs within it
- Met with key Committee Treaty members, and TB experts from OHCHR experts and INGOs.
- Observed TB meetings and procedures.
- Developed practical skills in lobbying and advocacy with committee members.
- Developed particular knowledge and skills concerning NGO shadow reporting and communications.
- Developed a TB action plan involving strategies and activities to effectively utilise the system upon their return to their workplaces.
- Developed a TB training plan to build the capacity of other local NGOs working on similar human rights issues.

Participants should send a letter from their organization presenting their candidacy, as well as expressing the commitment of the organization in using the international or regional systems.

The cost of the course is approximately CHF 5000 (including accommodation, per-diems, health insurance, and airfare). All participants are responsible to find their own funding for the course, though with the permanent support of the International Service. Subject to funding, ISHR may be able to offer a limited amount of scholarships. To select beneficiaries of the scholarship, the organizers will consider, among other criteria, the efforts of the candidate towards securing its own funding.

Highlights of the course:

The course will consist of not more than 20 participants from around the world. A number of international NGO representatives also participate in the course.

All participants are responsible to find their own funding for the course, though with the support of ISHR. In some exceptional circumstances, ISHR may be able to offer scholarships.

The course begins with a general introduction to international human rights law, an overview of the UN system and the regional mechanisms where applicable and extended analysis on the treaty bodies. During the two weeks participants will have the opportunity to attend the sessions of the Committees, meet with committee member and UN officials as well as NGOs representatives.

Over recent years, ISHR trainees have come from: Aceh, Bangladesh, Brazil, Cameroon, Canada, China, the Democratic Republic of the Congo, Egypt, Ethiopia, France, Georgia, Guatemala, India, Lebanon, Moluccas, the Netherlands, Nigeria, Palestine, the Russian Federation, Rwanda, Somalia, Swaziland, Thailand, Tibet, Timor-Leste, Uganda, Uzbekistan, West Papua etc.

For further information on the training course - click here →→



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