

# CHAPTER 4

## ADDITIONAL RESOURCES

This guide is designed to be light and readable. That means not all elements can be covered in depth. We have put checklists in each section. Here we provide further reading and resources.

### 4.1

## COURTS AND TRIBUNALS

#### **International Criminal Court**

<https://www.icc-cpi.int/>

#### **The Nuremberg Trials**

<https://encyclopedia.ushmm.org/content/en/article/the-nuremberg-trials>

#### **International Military Tribunals for the Far East**

<http://imtfe.law.virginia.edu/>

#### **International Criminal Tribunal for the Former Yugoslavia**

<http://www.icty.org/>

#### **International Criminal Tribunal for Rwanda**

<https://unictr.irmct.org/>

#### **International Residual Mechanism for International Tribunals**

<https://www.irmct.org/en>

#### **Extraordinary Chambers in the Courts of Cambodia**

<https://www.eccc.gov.kh/en/node/39457>

#### **Extraordinary African Chambers**

<http://www.chambresafricaines.org/>

#### **Special Court for Sierra Leone**

<http://www.rscsl.org>

#### **Special Panels for Serious Crimes in East Timor**

<https://www.wcl.american.edu/impact/initiatives-programs/warcrimes/resource-court-information-and-external-links/resources/special-panels-for-serious-crimes-in-east-timor/>

#### **The War Crimes Chamber in Bosnia and Herzegovina**

<https://hybridjustice.com/the-war-crimes-chamber-in-bosnia-and-herzegovina/>

#### **Iraqi High Tribunal**

<https://hybridjustice.com/iraqi-high-tribunal/>

#### **Kosovo Specialist Chambers**

<https://www.scp-ks.org/en>

#### **International Commission against Impunity in Guatemala**

<https://www.cicig.org/>

#### **International Crimes Division in the High Court of Uganda**

<https://www.judiciary.go.ug/data/smenu/18/International%20Crimes%20Division.html>

## 4.2

### OTHER TRIAL MONITORING MANUALS

#### **International Commission of Jurists**

##### ***Trial Observation Manual for Criminal Proceedings***

“This Practitioners Guide provides the prospective trial observer with practical advice on how to carry out a trial observation. It outlines the various criteria and operational aspects that need to be borne in mind when preparing for, and conducting, a trial observation. It also provides a systematic overview of the international norms and standards relating to fair trial and due process in criminal proceedings.”

<https://www.icj.org/criminal-trials-and-human-rights-a-manual-on-trial-observation/>

#### **Organization for Security and Co-operation in Europe (OSCE)**

##### ***Trial Monitoring: A Reference Manual for Practitioners***

“This manual is intended primarily for practitioners involved in trial monitoring. It will, however, be of interest to anyone seeking information on trial monitoring and should also be useful to anyone involved in reforming the justice system.”

<https://www.osce.org/odihr/94216>

#### **United Nations Human Rights Office of the High Commissioner**

##### ***Training Manual on Human Rights Monitoring: Trial Observation and Monitoring the Administration of Justice***

<https://www.ohchr.org/Documents/Publications/MonitoringChapter22.pdf>

#### **Amnesty International**

##### ***Fair Trial Manual***

“A practical and authoritative guide to international and regional standards for fair trial. These standards set out minimum guarantees designed to protect the right to a fair trial in criminal proceedings. The Manual explains how fair trial rights have been interpreted by human rights bodies and by international courts.”

<https://www.amnesty.org/en/documents/POL30/002/2014/en/>

#### **Frontline Defenders**

##### ***Trial Observation Handbook for Human Rights Defenders***

“This handbook is designed to enable trial observers to accurately report on trial proceedings and contribute to the protection of HRDs facing prosecution by highlighting injustice and the lack of due process. The presence of trial observers sends a clear message that the right to a fair trial in which all the evidence can be heard and examined without prejudice is a fundamental human right.”

<https://www.frontlinedefenders.org/en/resources-hrds>

## **Institute for War & Peace Reporting**

### ***A Handbook on Covering War Crimes Courts***

“Whatever drives you to report on justice, you need to have the tools to do it. That is what this handbook sets out to provide. It is intended for journalists undertaking one of the most challenging, important and potentially rewarding of tasks: reporting on the trials of war crimes suspects or investigating war crimes on the ground.”

<https://iwpr.net/printed-materials/reporting-justice-handbook-covering-war-crimes-courts>

# 4.3

## MORE BACKGROUND READING

### **Some useful glossaries of legal terms:**

- <https://www.ijmonitor.org/glossary-of-legal-terms/>
- <https://dictionary.law.com/>

### **To better understand international humanitarian law:**

[https://www.icrc.org/en/doc/assets/files/other/what\\_is\\_ihl.pdf](https://www.icrc.org/en/doc/assets/files/other/what_is_ihl.pdf)

### **More on universal jurisdiction and related cases:**

<https://ijrcenter.org/cases-before-national-courts/domestic-exercise-of-universal-jurisdiction/>

### **To understand the Genocide Convention:**

<https://www.un.org/en/genocideprevention/genocide.shtml>

### **An explanation of the range of measures involved in transitional justice processes:**

<https://www.ictj.org/sites/default/files/ICTJ-Global-Transitional-Justice-2009-English.pdf>

### **More on the principle of complementarity and the ICC:**

<https://www.ictj.org/sites/default/files/subsites/complementarity-icc/>

### **More on sexual and gender-based crimes:**

<https://4genderjustice.org/call-it-what-it-is/>

### **More on protecting children:**

- <https://www.cps.gov.uk/legal-guidance/safeguarding-children-victims-and-witnesses>
- <https://www.cps.gov.uk/legal-guidance/reporting-restrictions-children-and-young-people-victims-witnesses-and-defendants>
- [https://www.unodc.org/documents/justice-and-prison-reform/Justice\\_in\\_matters...pdf](https://www.unodc.org/documents/justice-and-prison-reform/Justice_in_matters...pdf)

### **More information on secondary trauma:**

- <https://www.openglobalrights.org/evidence-of-trauma-impact-of-human-rights-work-on-advocates/>
- <https://www.amnesty.org/en/latest/news/2019/02/how-activists-and-reporters-can-protect-themselves-from-secondary-trauma/>
- <http://eyewitnessmediahub.com/research/vicarious-trauma>

### **Organizations with specialized support for secondary trauma:**

- <https://dartcenter.org/resources>
- <https://dartcenter.org/content/self-care-tips-for-news-media-personnel-exposed-to-traumatic-events#.Va-k2mRVhHx>
- <https://www.frontlinedefenders.org/en/resources-wellbeing-stress-management>

### **More on best practices regarding security:**

- <https://holistic-security.tacticaltech.org/>
- <https://securityinabox.org/en/>

## 4.4

### ADDITIONAL EXAMPLES

It is important to monitor political events that may affect court processes. In this case, the report is about diplomatic discussions around the potential presence of Kenyan president Uhuru Kenyatta at the ICC.

*“The African Union (AU) has resolved that no serving president or prime minister should appear before any court or tribunal and asked the United Nations Security Council to act on the organization’s pending request for the suspension of the trial of Kenya’s President Uhuru Muigai Kenyatta, which is due to start on November 12.*

*The decision of African leaders over the weekend raises the possibility that Kenyatta will not attend his trial at the International Criminal Court (ICC). When asked to clarify what would happen if the suspension request was not acted on by November 12, Ethiopian Foreign Affairs Minister Tedros Adhanom Ghebreyesus told journalists that AU leaders had asked Kenyatta not to attend his trial until the AU’s request had been accepted.”*

<https://www.ijmonitor.org/2013/10/au-asks-kenyatta-not-to-attend-trial-until-deferral-request-is-acted-on/>

A full summary of what happened in court, what is at stake, and the context can be very useful.

In this report from Guatemala, the monitors portray some of the atmosphere, and explain the trial process and reactions from key groups:

*“In a tense and packed courtroom, Guatemalan High Risk Court “B” delivered its verdict on Wednesday evening in the retrial of José Mauricio Rodríguez Sánchez for the crimes of genocide and crimes against humanity against the Maya Ixil population....*

Evidence included testimony from some 100 survivors and families of victims, official documents, and expert witnesses. The atrocities included the destruction of at least 50 villages in the Ixil region, massacres, the widespread use of torture and sexual violence, especially against women, and search and destroy operations against the displaced population who, fleeing army violence, went to live in the mountains. The court affirmed that the structural racism and discrimination against the indigenous population that has characterized Guatemalan history was the underlying factor pushing the army’s counterinsurgency strategy towards acts of genocide....

Human rights organizations representing the victims lamented the court's decision to acquit Rodríguez Sánchez. Edgar Pérez, of the Human Rights Law Firm and lawyer for the AJR, said that he believed the plaintiffs had provided ample evidence, including military documents, expert testimony about the role of military intelligence in the design, implementation, and supervision of military plans and operations, and witness testimony, to convict Rodríguez Sánchez. He said despite his disagreement with this aspect of the court's ruling, he saw the ruling as a victory because it acknowledged what the victims have been saying for more than 30 years: that the army committed genocide."

<https://www.ijmonitor.org/2018/09/court-finds-guatemalan-army-committed-genocide-but-acquits-military-intelligence-chief/>