

COST CA18228 Scoping Survey - States and ICJ (v2)

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Further to the COST18228 Sarajevo meeting in January 2020, we are asking Action members to provide state-specific information using this data collection tool on national laws, policies and approaches to international crimes, i.e. genocide, war crimes and crimes against humanity and aggression (see Rome Statute articles 6 through 8*bis*).

Please draw on your own knowledge and that of others in your network to answer the questions with reference to any activity (adoption / implementation / establishment) from **1990** onwards. You have been provided with a full PDF of the survey, and can circulate this to help collect data, but we are asking only one person per state to complete the survey.

You will be able to move backwards and forwards in the survey and save the survey and return to it so that it does not need to be completed in one block. Please do not submit the survey until all answers are completed. A final question asks you to check this, and you will not be able to submit the survey without answering it positively.

By completing the survey, you are consenting to the use of all data on a published database hosted by the COST network on its website (www.justice-360.com) and to being contacted by the network in relation to your answers and the resulting database. The only personal data to be collected will be your name and e-mail address, and the names of others who have assisted in gathering the data for the survey. This will be used for purposes of communication and attribution only. No request for sensitive personal data is included in the survey.

The data is being collated by Dr Andy Aydın-Aitchison of the University of Edinburgh on behalf of the Management Committee of the COST Action. Prior to being shared on the COST website, the data will be shared among the core group of the management committee for the purposes of processing. This will involve sharing the data with:

Prof Mikkel Jarle Christensen, University of Copenhagen
Dr Fatima Rodrigues, Universidade do Porto

Dr Barbora Hola, Netherlands Institute for the Study of Crime and Law Enforcement
Dr Kjersti Lohne, University of Oslo
Dr Sunčana Roksandić Vidlička, University of Zagreb
Dr Sergey Vasiliev, University of Amsterdam

Data will be held on secure servers at these universities, and the above named individuals are data controllers.

The answers you give in the survey remain the intellectual property of you and any of your collaborators involved in generating the answers. The complete dataset will be the shared intellectual property of you, your collaborators, anyone else submitting answers, their collaborators (all as collectors of data) and the COST Action Leadership named above (as creators of the database).

We thank you in advance for your contribution to meeting the objectives of the COST network and for your support in advancing knowledge on the domestic contexts of International Criminal Justice.

Basic details

1. Person completing form (FAMILY NAME, Given Name) * *Required*

2. E-mail address for any queries or follow up * *Required*

Please enter a valid email address.

3. Please list anyone who has assisted you in gathering information in response to the survey questions, so that they can be credited as contributors to the database. Give each contributor on a separate line (FAMILY NAME, Given Name...)

4. My answers will relate to the following state * *Required*

5. If answering only for one sub-state jurisdiction, please identify it here (e.g. England and Wales)



Laws

6. Are there any domestic laws criminalizing international crimes?

Yes

No

Laws

7. If yes, please list them (or the relevant provisions, if part of a larger criminal code), and where available provide links (if you can not provide links, but do have electronic copies, please e-mail these to justice360survey@gmail.com)

Laws

8. Are there any specific laws regulating any issues related to perpetrators of international crimes?

Yes

No

Laws

9. If yes, please list them (or the relevant provisions, if part of a larger criminal code), and where available provide links (if you can not provide links, but do have electronic copies, please e-mail these to justice360survey@gmail.com)

Laws

10. Are there any specific laws concerning assistance to, or status of, victims of international crimes?

Yes

No

Laws

11. If yes, please list them (or the relevant provisions, if part of a larger criminal code), and where available provide links (if you can not provide links, but do have electronic copies, please e-mail these to justice360survey@gmail.com)

Laws

12. Are there any specific laws regulating speech with regards to international crimes (e.g. genocide denial)?

Yes

No

Laws

13. If yes, please list them (or the relevant provisions, if part of a larger criminal code), and where available provide links (if you can not provide links, but do have electronic copies, please e-mail these to justice360survey@gmail.com)

Policies

14. Have there been any major parliamentary discussions since 1990 related to international criminal justice? Here, major is defined by a situation or legislative initiative being the main item of debate, not individual parliamentary questions.

Yes

No

Policies

15. Please indicate debates with as much detail as possible - e.g. topic, date, volume of parliamentary record line number at start of debate - and provide a link to e-versions of parliamentary record where possible.

Policies

16. Has the state signed the Rome Statute?

Yes

No

Policies

17. If yes, please give the date of signing

Dates need to be in the format 'DD/MM/YYYY', for example 27/03/1980.



(dd/mm/yyyy)

Policies

18. If no, please briefly summarise the reasons for not signing

Policies

19. Has the state ratified the Rome Statute?

Yes

No

Policies

20. If yes, please give the date of ratification

Dates need to be in the format 'DD/MM/YYYY', for example 27/03/1980.



(dd/mm/yyyy)

21. If yes, are there any specific implementation laws in that respect? If so, can you list them and provide links where possible.

Policies

22. If no, please state the reason for non-ratification

Policies

23. Does the state contribute to the budget of the ICC?

Yes

No

Policies

24. If available, state the budgetary contribution for 2019

25. If available, please state the total contribution for the five years 2015-2019, inclusive

Policies

26. Has the state supported any of the following ad hoc international or hybrid tribunals did the state support (support is defined as financial support, material support, personnel or training)? Extraordinary Chambers in the Courts of Cambodia; ICTR; ICTY; Special Tribunal for Lebanon; Special Court for Sierra Leone (and residual court); Special Panels of Dili District Court; UN Residual Mechanism for Criminal Trials.

Yes

No

Policies

27. Which of the following ad hoc international or hybrid tribunals did the state support (support is defined as financial support, material support, personnel or training)? Select all that apply.

- Extraordinary Chambers in the Courts of Cambodia
- ICTR
- ICTY
- Special Tribunal for Lebanon
- Special Court for Sierra Leone (and residual court)
- Special Panels of the Dili District Court
- UN Residual Mechanism for Criminal Trials

27.a. Please briefly summarise the support

Policies

28. Please select from the following where the state has an agreement on cooperation/assistance with any international criminal court or tribunal.

- Sentence enforcement
- Relocation of acquitted defendants
- Witness protection relocation
- Other

28.a. If selected, please list any relevant agreements

Policies

29. Has the state enforced sentences of any international criminal court or tribunal?

Yes

No

Policies

30. For each international court or tribunal for which a sentence has been enforced, please give a line with the court name and total number of sentences enforced. E.g.

ICTR 2

ICC 1

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Policies

31. Was the enforcement of sentences a matter of significant public discussion?

Yes

No

Policies

32. If yes, what were the main issues in that discussion? Please state briefly.

Policies

33. Is there evidence of foreign policy promoting criminal justice for international crimes?

Yes

No

Policies

34. Please describe briefly, noting whether the policy is unilateral (just this state) or multi-lateral (this state as part of an organised group of states) in terms of input; whether output is in one other state only (bilateral), multiple states or in an international forum (e.g. UN); the policy aim; and the policy tools through which the policy is pursued (e.g. conditionality, training, funding, policy transfer)...

Policies

35. Are there any national prosecutorial policies related to international crimes?

Yes

No

Policies

36. If yes, please list these here:

Policies

37. Are there any national policies related to treatment/assistance to victims of international crimes?

Yes

No

Policies

38. If yes, please list these here:

Institutions

39. Are there any special domestic courts dealing with international crimes?

Yes

No

Institutions

40. If yes, when were they established (Name; DD/MM/YYYY)

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Institutions

41. In total, how many **cases** related to international crimes have been prosecuted by any court (special or ordinary) in your country? (give a numerical answer)

Please enter a whole number (integer).

41.a. In total, in these cases, how many individuals have been prosecuted? (give a numerical answer)

Please enter a whole number (integer).

41.b. Of these cases, how many related to international crimes committed within the territory of the state?

41.b.i. How many were convicted of international crimes within the territory of the state?

Please enter a whole number (integer).

41.b.ii. How many were acquitted of international crimes within the territory of the state?

41.c. Of all cases of international crimes prosecuted, how many related to crimes committed on the territory of another state or in international waters?

41.c.i. How many were convicted of international crimes on the territory of another state or in international waters?

Please enter a whole number (integer).

41.c.ii. How many were acquitted for crimes committed on the territory of another state or in international waters?

Please enter a whole number (integer).

42. Please list any situations covered by prosecutions in the state for crimes committed on the territory of another state or on international waters? E.g. Bosnia and Herzegovina 1992-1995...

Institutions

43. Is there a special prison, or a special unit within a prison, for persons convicted of international crimes?

Yes

No

Institutions

44. Does the state have any specialist institutions to assist victims of international crimes?

Yes

No

Institutions

45. Please list any institutions and provide a link to their website where available.

Civil Society

46. Are there any NGOs or INGOs active in the state which focus on issues related to international crimes at a general level? (separate questions will focus on victim- or perpetrator- focused NGOs)

Yes

No

Civil Society

47. Please list any NGOs or INGOs active on general issues related to international crimes, with a short description of their focus and a link to their organisational website.

Civil Society

48. Are there any NGOs or INGOs active in the state which focus on issues related specifically to victims of international crimes?

Yes

No

Civil Society

49. Please list any NGOs or INGOs active on issues related to victims of international crimes, with a short description of their focus and a link to their organisational website.

Civil Society

50. Are there any NGOs or INGOs active in the state which focus on issues related specifically to perpetrators of international crimes?

Yes

No

Civil Society

51. Please list any NGOs or INGOs active on issues related to perpetrators of international crimes, with a short description of their focus and a link to their organisational website.

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Culture

52. Are there any museums (public or private) which exclusively address international crimes?

Yes

No

Culture

53. Please list the museums with a brief description of their mission or focus and provide a link to their website

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Culture

54. Are there any memorials to instances of international crimes in the state? (separate questions will ask about memorials to victims, to ICJ and to perpetrators)

Yes

No

Culture

55. Please list those memorials (instance memorialised, location)

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Culture

56. Are there any memorials to victims of international crimes in the state? (individuals or groups)

Yes

No

Culture

57. Please list those memorials (victim(s) memorialised, location)

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Culture

58. Are there any memorials to international criminal justice in the state? (e.g. to a prominent judge)

Yes

No

Culture

59. Please list those memorials (what/whom memorialised, location)

Culture

60. Are there any memorials to perpetrators of international crimes in the state?
(individuals or groups)

Yes

No

Culture

61. Please list those memorials (perpetrator(s) memorialised, location)

Culture

62. Please list any other mnemonic activities (e.g. memorial days, marches) in the state that relate to international crimes, their victims or perpetrators. Please give calendar date, title and focus

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Culture

63. Please list any examples of cultural activity (film, performing arts, fine arts, literature) focusing on issues of international criminal justice or international crimes.

A large, empty rectangular box with a thin black border, intended for the user to write their response to question 63. The box is centered horizontally and occupies a significant portion of the page's width.

Culture

64. In your judgment, do mainstream media (print, broadcast and online) report regularly on matters of international criminal justice arising outside the state and its immediate region? (e.g. media in Burundi reporting on an ICC decision on Afghanistan)

- Yes
- No

65. In your judgment, do mainstream media (print, broadcast and online) report regularly on domestic cases related to international criminal justice?

- Yes
- No

66. If you were to recommend media sources to someone new to studying the state, which would you recommend? Please give up to 10, indicating type (newspaper, online portal, radio, TV, podcast...) and giving URL, if available.

Overview and submit

67. Have you answered all the questions to the best of your ability using the knowledge resources available to you and your network? * *Required*

Yes

Final page

Thank you for completing the survey - this is a major contribution to the projected outputs of the COST project which could not be achieved without colleagues giving their time and energy. You will hear from the project team regarding next steps, and any planned or published outputs using the data you have contributed.

We are still welcoming blog entries for the project site: <https://justice-360.com/blog/>

Don't forget to follow @justice360cost on Twitter for regular updates on the project and the activities of network members.

Sincere thanks!

Mikkel and colleagues

Key for selection options

4 - My answers will relate to the following state

- Afghanistan
- Albania
- Algeria
- Andorra
- Angola
- Antigua and Barbuda
- Argentina
- Armenia
- Australia
- Austria
- Azerbaijan
- Bahamas
- Bahrain
- Bangladesh
- Barbados
- Belarus
- Belgium
- Belize
- Benin

Bhutan
Bolivia
Bosnia and Herzegovina
Botswana
Brazil
Brunei
Bulgaria
Burkina Faso
Burundi
Cabo Verde
Cambodia
Cameroon
Canada
Central African Republic (CAR)
Chad
Chile
China
Colombia
Comoros
Congo, Democratic Republic of the
Congo, Republic of the
Costa Rica
Cote d'Ivoire
Croatia
Cuba
Cyprus
Czechia
Denmark
Djibouti
Dominica
Dominican Republic
Ecuador
Egypt
El Salvador
Equatorial Guinea
Eritrea
Estonia
Eswatini (formerly Swaziland)
Ethiopia
Fiji

Finland
France
Gabon
Gambia
Georgia
Germany
Ghana
Greece
Grenada
Guatemala
Guinea
Guinea-Bissau
Guyana
Haiti
Honduras
Hungary
Iceland
India
Indonesia
Iran
Iraq
Ireland
Israel
Italy
Jamaica
Japan
Jordan
Kazakhstan
Kenya
Kiribati
Kosovo
Kuwait
Kyrgyzstan
Laos
Latvia
Lebanon
Lesotho
Liberia
Libya
Liechtenstein

Lithuania
Luxembourg
Madagascar
Malawi
Malaysia
Maldives
Mali
Malta
Marshall Islands
Mauritania
Mauritius
Mexico
Micronesia
Moldova
Monaco
Mongolia
Montenegro
Morocco
Mozambique
Myanmar (formerly Burma)
Namibia
Nauru
Nepal
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
North Korea
North Macedonia (formerly Macedonia)
Norway
Oman
Pakistan
Palau
Palestine
Panama
Papua New Guinea
Paraguay
Peru
Philippines

Poland
Portugal
Qatar
Romania
Russia
Rwanda
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Samoa
San Marino
Sao Tome and Principe
Saudi Arabia
Senegal
Serbia
Seychelles
Sierra Leone
Singapore
Slovakia
Slovenia
Solomon Islands
Somalia
South Africa
South Korea
South Sudan
Spain
Sri Lanka
Sudan
Suriname
Sweden
Switzerland
Syria
Taiwan
Tajikistan
Tanzania
Thailand
Timor-Leste
Togo
Tonga
Trinidad and Tobago

Tunisia
Turkey
Turkmenistan
Tuvalu
Uganda
Ukraine
United Arab Emirates (UAE)
United Kingdom (UK)
United States of America (USA)
Uruguay
Uzbekistan
Vanuatu
Vatican City (Holy See)
Venezuela
Vietnam
Yemen
Zambia
Zimbabwe
