



Master Programme in European and
International Law

winter term 2004

Public International Law
(VAK 06-009)

Dr. Andree Kirchner, LL.M. (Stockholm)

International Criminal Law

History of international criminal law

- 1945: International Military Tribunal
- 1993: International Tribunal for the Former Yugoslavia
- 1994: International Tribunal for Rwanda
- 1998: International Criminal Court

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International Military Tribunal

- 8 August 1945: Charter of the International Military Tribunal annexed to the Agreement for the Prosecution and Punishment of the Major War Criminals of the European Axis (IMT Charter)
- 1950: ILC Principles of International Law Recognized in the Charter of the Nürnberg Tribunal and in the Judgement of the Tribunal (Nuremberg Principles)

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Nuremberg Principles

- Principle I:
“Any person who commits an act which constitutes a crime under international law is responsible therefore and liable to punishment.”

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Nuremberg Principles

- Principle VI:
“The crimes hereinafter set out are punishable as crimes under international law:
(a) Crimes against peace: [...]
(b) War crimes: [...]
(c) Crimes against humanity: [...]”
[= Art. 6 IMT Charter]

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International Criminal Law

ICTY

- Established by UN SC Res. 827 (25 May 1993)
- According to chapter VII of the UN Charter
- Structure:
 - Chambers (2 trial and 1 appeal chambers)
 - Prosecutor (investigate cases, prepare indictments and prosecute persons)
 - Registry (secretariat of the ICTY)
- www.icty.org

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International Criminal Law

ICTR

- Established by UN SC Res. 955 (8 November 1994)
- Structure:
 - Chambers (2 trial and 1 appeal chambers)
 - Prosecutor (investigate cases, prepare indictments and prosecute persons)
 - Registry (secretariat of the ICTY)
- www.icttr.org

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ICC

- 18 July 1998: adoption of the Rome Statute
- Parties: 97 (2004)
- www.icc-cpi.int

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Document Study: Statute of the International Criminal Court

- Read and understand the above document
- Reflect on the questions distributed separately

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Further reading:

A. Cassese, International Law, 2001, pp. 246-260

Further information:

<https://elearning.uni-bremen.de>