



### Law and Politics behind Specialized Criminal Tribunals

Article 41 of the United Nations Charter gives the Security Council the authority to use a variety of measures to enforce its decisions. The Council regularly creates subsidiary organs to support these measures. Such organs include International tribunals which have attempted to hold people responsible for serious crimes under instances where the Government has sought the assistance of the Council for investigating and prosecuting cases.

### International Criminal Tribunal for Rwanda (ICTR)

The ICTR was established by the UNSC Resolution 955 (1994) to prosecute persons responsible for genocide and other serious violations committed within the territory of Rwanda between 1st January and 1st December 1994. The tribunal also prosecuted Rwandan citizens for committing the aforementioned in neighbouring territories of Rwanda during the same period. In the year 2015, by Resolution 2256, ICTR completed its transiti-

-on to the International Residual mechanism for Criminal Tribunals.

### International Criminal Tribunal for Yugoslavia (ICTY)

The UNSC established the ICTY to prosecute persons responsible for committing serious violations of International Humanitarian Law in Yugoslavia during its breakup and following conflicts. This was by Resolution 827 (1993) of 25th May 1993. During its mandate till 2017, it irreversibly changed the landscape of IHL by providing the victims with an opportunity to voice the horrors they witnessed and experienced. It also proved that those suspected of mass atrocities shall be called to account.

### International Residual Mechanism for Criminal Tribunals (IRMCT)

The IRMCT was established by the UNSC to perform the remaining functions of ICTY and ICTR following the completion of those tribunal's respective mandate. The Principals of the mechanism are three persons who head three separate organs.

### News at a Glance

- Countries have used Starvation as a war strategy for centuries historically without being prosecuted. Three experts on hunger and humanitarian relief call for holding perpetrators accountable. More information about steps towards outlawing starvation as a war crime can be found [here](#).
- Ukrainian President, Volodymyr Zelenskyy along with a few other countries urged the United Nations to constitute a Special Tribunal against Russia and ensure accountability against crimes of aggression. More information about the Statements and Declarations can be found [here](#).
- The Family of Shireen Abu Akhleh has formally submitted a complaint to the ICC including evidence from a New Report that found a veteran Palestinian-American journalist was deliberately killed by Israeli forces. More Information about the incident and its importance can be found [here](#).



### The Residual Special Court for Sierra Leone

The Residual Special Court for Sierra Leone was established by an agreement between the United Nations and the Government of Sierra Leone to oversee the continuing legal obligations of the Special Court for Sierra Leone after its closure in 2013. These include:- This Residual Special Court, like the Special Court, is funded by voluntary contributions from the international community, but the agreement permits it to seek alternative means of funding. The Residual Court has an Oversight Committee to assist in obtaining adequate funds and to provide advice and policy directions on non-judicial aspects of the Court.

The term 'hybrid' international criminal tribunal was in vogue before the establishment of Special Courts for Crimes in Sierra Leone.

### Summary of the Weekly Session

A guest lecture was held on 1st October 2022. Mr. Devasheesh Bais, Fellow, Centre of International Law, Research and Policy, conducted a guest lecture on how to research using databases for international criminal law. He explained how the ICC Legal Tools Database is extremely helpful for students willing to conduct in-depth research regarding the subject. It is free of charge and provides easy access to judgments of national and international courts, old records, and rare documents.

He elaborated in detail, the various ways by which the results can be filtered and gave a practical illustration of the same so that the researchers can easily access the required material.

To conclude the session, he answered multiple questions regarding current international law issues and international law in general.

### News at a Glance

- The UK chancellor's so-called 'mini-budget', which includes £45 billion of discretionary debt-funded tax cuts on top of essential spending to cap energy prices, has led to a wave of criticism at home and abroad and a severe market rout and may affect the entirety of Europe in the coming years. More information about the UK's mini-budget can be found [here](#).
- Sweden and Denmark discovered two leaks in Nord Stream 1, a 1,224 km underwater gas pipeline running from Vyborg in northwest Russia to Lubmin in northeastern Germany via the Baltic Sea. The pipeline is run majorly by a German energy Giant, Gazprom, and is the primary network through which gas reaches Germany. More information can be found [here](#).
- The Swedish Democrats, Sweden's far-right party, emerged victorious in Sweden's national parliament elections conducted this September. Following this is the large electoral victory of Giorgia Meloni's Brothers of Italy, and the likely designation of Meloni as prime minister of the new Italian government. More information about the Sweden elections and Italy's elections can be found [here](#) and [here](#).

\*Write to us at [centerforinternationallaw@ilslaw.in](mailto:centerforinternationallaw@ilslaw.in) for requests and suggestions on sessions that can be organised in the future\*





### Extra Reading

For those interested in reading more about the theme for this month, we have curated a special list of articles for you. This set of Reading material is in the context of International Criminal Tribunal, and we've collected them all into one folder for ease of download:

- ICTY Celebrities: War Criminals Coming Home [Written by: Barbora Hola & Olivera Simic; Published in: 28th International Criminal Justice Review (2018)] [Accessible on [HeinOnline](#) or [here](#)].
- ICTR: Experiences and Challenges of the Tribunal [Written by: Erik Moose; Published in: New England Journal of International Law (2005)] [Accessible on [HeinOnline](#) or [here](#)].
- From the ICTR to ICC: Learning from the ICTR Experience in Bringing Justice to Rwandans [written by: Jean-Marie Kamatali; Published in: New England Journal of International Law (2005)] [Accessible on HeinOnline or [here](#)].
- ICTY: An Exercise in Law, Politics and Diplomacy [Written by: Rachel Kerr; Published by: Oxford University Press (2004)] [Accessible [here](#)].
- Culture under Cross-Examination International Justice and the Special Court for Sierra Leone. [By Tim Kelsall; Published in: Cambridge Studies in Law and Society (2009)] [Accessible [here](#)].
- ICTY Legacy: A Defence Counsel's Perspective. [Written By: Michael G. Karnavas; Published in: Goettingen Journal of International Law (2011)] [Accessible [here](#)].

### Upcoming Activities

1. Special Issue: Oxford Journal of International Criminal Justice, Call for Papers:

The Oxford Journal of International Criminal Justice sent out a call for submissions for its special Issue on New Technologies and Investigation of International Crimes. The submission deadline for abstracts is 31st October 2022. Find the full text of the call [here](#).

2. ILA 150th Anniversary Conference:

The International Law Association will celebrate its 150th anniversary in 2023 with a series of events that shall be held throughout the year. The details of events can be found [here](#).

To Prepare for the discussions, the French branch of ILA has initiated the preparations of a series of thematic white papers. where each theme corresponds to major challenges we face in 21st Century. Copies of White Papers currently available can be accessed [here](#).



- International Trials and Reconciliation Assessing the Impact of the International Criminal Tribunal. [Written by: Janine Natalaya Clark; Published by: Routledge (2014)]. [[Accessible here](#)].
- Procedural Evolution in ICTY [Written by: Theodor Meron; Published in: Journal of International Criminal Justice (2004)] [[Accessible here](#)].
- What Have We Learned From ICTY [Written by: Minna Schrag; Published in: Journal of International Criminal Justice (2004)]. [[Accessible here](#)].

### Upcoming Activities

3. Call for Papers: Cambridge International Law Journal

The Editorial Board of the Cambridge International Law Journal invites submissions for Volume 12 (issues to be published in June and December 2023). For full submission instructions, see [here](#).

4. Call for Papers: The Aesthetics of International Law

The CEU Department of Legal Studies and the ESIL Interest Group on Social Sciences and International Law have announced the call for papers for the 2023 Conference on The Aesthetics of International Law. This cross-disciplinary event, taking place on 12 – 13 May 2023, will bring together scholars wishing to explore various ways to visualize international legal processes in different contexts and across different media. The call for papers is available [here](#).

5. Kaldor Centre for International Refugee Law Annual Conference

This annual conference will be held from 15-18 November 2022. The theme is 'Turning points: new directions in refugee protection'. Register for free [here](#).