

Contributors

The ICC 'Preparatory Works' and Statute Amendments Collection in the ICC Legal Tools Database was prepared in 2004-05 by a team at the ICC led by Gilbert Bitti and Enrique Carnero Rojo, including Anna Ivanovitch, Steven Nevins, Nathalie Collart and Natalia Piradova. The preparatory works for ICC Statute Amendments on the crime of aggression were added by the Norwegian Centre for Human Rights, an external partner in the ICC Legal Tools Project. The preparatory works for the 1948 Genocide Convention and the 1949 Geneva Conventions with Protocols were added by another external partner, Laval University. The ICCPWS has been developed by Dr. Cyril Laucci with the assistance of Dr. ZHU Dan and Ms. Margherita Stevoli.



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- Dr. Cyril Laucci is a French lawyer specialized in international criminal law who has worked in ICC Registry for six years.
- Ilia Utmelidze is Director of the CMN.

Preparatory works as part of the ICL Public Commons

The ICC Legal Tools Database provides free online access to more than 100,000 legal sources in international criminal law, including the preparatory works. The documents are organized in thirteen in-depth collections. Enjoying more than 2,000,000 hits in 2015, the Database is used by judges, prosecutors, legal practitioners, NGO-workers and academics to find documents; gradually users also refer to documents by hyperlinking to their persistent URL in the Database. The increasing use of hyperlinked – and therefore immediately accessible – legal sources contributes to a fledgling common space that may benefit everyone. One trial judgment in the Database, for example the Katanga Trial Judgment, functions like a library providing access to more than 500 hyperlinked legal sources.

The Database is at the centre of the emerging ICL Public Commons, as the main repository of legal sources in international criminal law. Its stewardship is held by a public international organization – the International Criminal Court – ensuring that its services remain freely accessible to everyone. Users who hyperlink to the Database – including journals, NGOs and authors – become involved in the production and maintenance of the ICL Public Commons.

The ICCPWS is part of the CMN Knowledge Hub, overseen by CILRAP's department CMN (whose Director is Ilia Utmelidze). All Hub services are hyperlinked to the ICC Legal Tools Database.



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CILRAP: Centre for International Law Research and Policy

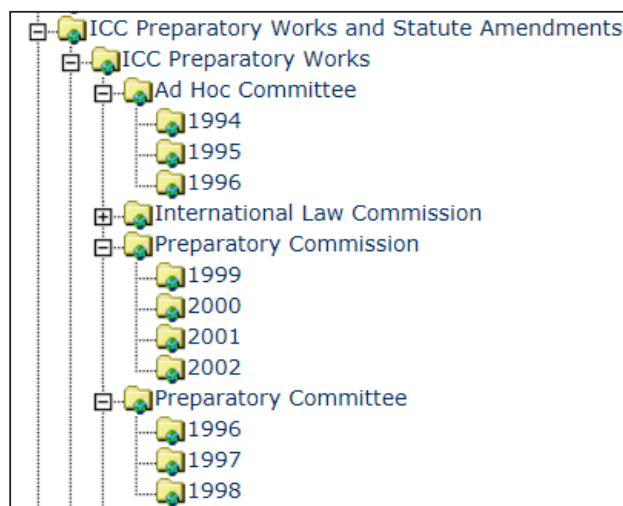
Making preparatory works more accessible as ICL sources

The ICCPWS is a service in the CMN Knowledge Hub

Making preparatory works more accessible

Documents generated during the preparation and negotiation of treaties or statutes – here referred to as ‘preparatory works’ – are often not easily accessible, regardless of whether they form part of an official record of the negotiation process. This may particularly be the case in materially less resourceful countries. Increasing accessibility to preparatory works provides users with means to better understand the intention of the drafters of the treaty or statute, when assessing its meaning. Understanding the making of a treaty or statute on core international crimes is particularly important given the fundamental interests it protects.

Practitioners, teachers, researchers, students and NGO workers can use preparatory works when constructing arguments of customary international law or general principle of law. Making preparatory works more accessible enhances their function as legal sources, and can contribute to the general strengthening of treaties, the backbone of the international legal order made by states. Not all documents in preparatory works are official documents submitted by governments during negotiations; there are unofficial documents informally circulated among participants, sometimes made by civil society.



↑ The ICC ‘Preparatory Works’ and Statute Amendments Collection.

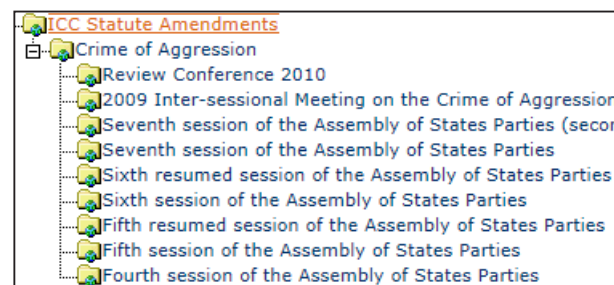
Preparatory works in the ICC Legal Tools Database

The ICC Legal Tools Database contains the preparatory works of the following instruments and documents in international criminal law:

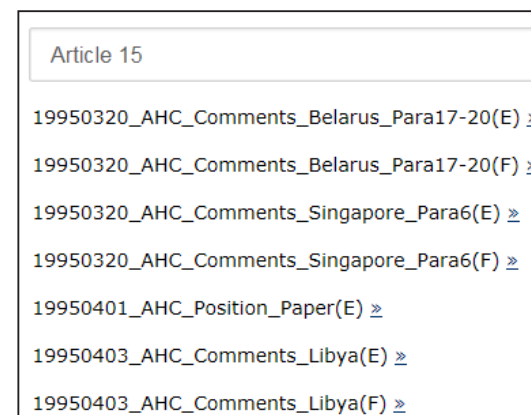
- 1948 Genocide Convention
- 1949 Geneva Conventions
- 1977 Additional Protocols
- ICC Statute, Rules of Procedure and Evidence, and Elements of Crimes
- ICC Statute Amendments (crime of aggression)

This means that the Database contains the preparatory works for the main treaties or ICC legal texts on the core international crimes of genocide, war crimes, crimes against humanity, and aggression. The Database contains documents on a possible convention on crimes against humanity. In cases where there is no official list or record of preparatory works – for example for the ICC Statute – it is difficult to know whether all the documents presented or considered during the negotiations are included.

The documents in the preparatory works contained in the Database can be located through the browse, search and filtering mechanisms available to users. Every document has a unique persistent URL (‘PURL’) which will never change. Your texts can therefore safely hyperlink to the PURLs of documents you refer to in the Database.



↑ The Database contains the preparatory works for the ICC Statute Amendments on aggression.



↑ The ICCPWS tool in the CMN Knowledge Hub.

ICCPWS

‘ICC Preparatory Works Search’ (‘ICCPWS’) has been developed to help find documents in the ICC preparatory works more easily. It is an indexing and mapping of thousands of preparatory documents for the ICC Statute, from the International Law Commission’s initial draft to the final version. By searching the ICCPWS by provision of the ICC Statute, you can immediately identify those preparatory documents that contributed to the drafting of the provision.



↑ The preparatory works for the 1949 Geneva Conventions.