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Contributors

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- Erick Sullivan is a lawyer in the Province of Quebec, Canada, Deputy Director of the International Criminal and Humanitarian Law Clinic, and the Canadian Coordinator of the International Criminal Court Legal Tools Project: A Canadian Partnership.
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**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.

**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.

**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.