

Victims of International Crimes: An Interdisciplinary Discourse

Thorsten Bonacker · Christoph Safferling
Editors

Victims of International Crimes: An Interdisciplinary Discourse



ASSER PRESS



Springer

Editors

Thorsten Bonacker
Institut für Soziologie
Philipps-Universität Marburg
Marburg
Germany

Christoph Safferling
Institut für Kriminalwissenschaften
Philipps-Universität Marburg
Marburg
Germany

ISBN 978-90-6704-911-5 ISBN 978-90-6704-912-2 (eBook)
DOI 10.1007/978-90-6704-912-2

Library of Congress Control Number: 2013934272

© T.M.C. ASSER PRESS, The Hague, The Netherlands, and the authors 2013

Published by T.M.C. ASSER PRESS, The Hague, The Netherlands www.asserpress.nl
Produced and distributed for T.M.C. ASSER PRESS by Springer-Verlag Berlin Heidelberg

No part of this work may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, microfilming, recording or otherwise, without written permission from the Publisher, with the exception of any material supplied specifically for the purpose of being entered and executed on a computer system, for exclusive use by the purchaser of the work.

The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.

Disclaimer: The information transmitted is intended only for the person or entity to whom or which it is addressed. Unauthorised use, disclosure or copying is strictly prohibited. The sender accepts no liability for the improper transmission of this communication nor for any delay in its receipt.

Printed on acid-free paper

Springer is part of Springer Science+Business Media (www.springer.com)

Foreword

In the last 20 years we have seen new and successful global efforts to criminalise genocide, war crimes and crimes against humanity, and to prosecute and punish those responsible. The establishment of the *ad hoc* international criminal tribunals for the crimes committed in the former Yugoslavia and in Rwanda, and of the permanent International Criminal Court, is the most publicised outcome of these initiatives.

National courts are also beginning to exercise their universal jurisdiction over certain international crimes. The trial against a Rwandan national accused of participation in the killing of thousands of Tutsis in Rwanda that has begun this year before the Frankfurt Superior Court is just one example of these efforts.

As important as the punishment of perpetrators is, the suffering incurred by the victims should not be forgotten. The proportion of civilian casualties of war as opposed to military casualties has increased dramatically, up to 90 % by the end of the twentieth century.¹ At the end of 2010, the number of people forcibly uprooted by conflict and persecution worldwide stood at almost 34 million.² Therefore, this conference couldn't be timelier.

The welfare of crime victims is of special importance to the Ministry of Justice. Of course, I don't want to confound the special situation of victims of war crimes with crime victims in general. But it nevertheless seems that this conference's focus on victims of international crimes mirrors a growing interest in victims in national law.

Two of the upcoming panels will discuss the protection and participation of victims in criminal trials. Victim protection and victims' participation have also been special concerns of German criminal procedure law in recent years. Various changes in statutory law have been enacted to protect victims from further harm in their role as witnesses and to strengthen their rights as active participants in criminal proceedings.

But these legal protections for victims are not enough. They must be accompanied by counseling and practical assistance. In the State of Hessen, the Ministry of Justice

¹ UNICEF, *Impact of Armed Conflict on Children*, 1996, MN 24.

² Exactly 33.924.475—UNHCR, *Global Trends Report 2010*.

supports a network of crime victims support associations. They support victims while reporting the crime, giving testimony in court, pursuing claims for compensation and dealing with the psychological repercussions of the crime.

While the situation of victims of gross violations of international human rights law and victims of other crimes obviously differs, they also confront legal systems with a host of similar questions. How can the courts investigate a case effectively, with the help of the victim's testimony, while protecting the victim against further harm during the trial? How can victims become active participants in the proceedings while also recognising the right of the defendant to a fair trial?

How can the worst crimes ever be remedied? These problems are magnified and multiplied when we are trying to deal with mass violations of human rights.

Wiesbaden/Marburg
December 2012

Dr. Rudolf E. C. Kriszeleit
State Secretary
Hessian Ministry for Justice,
Integration and European Affairs

Acknowledgments

Since 1945 societies, but also the international community have developed different instruments to deal with massive past human rights abuses. Victims became significant actors in those so-called transitional justice processes. On that background we decided to conceptualise a conference that brought together international scholars from different disciplines to discuss the situation of victims of serious human rights violations and to further enhance their role in transition processes. The primary motivation for organising such a conference was to establish an interdisciplinary approach, which has been lacking in academic discourse to date.

Both organising institutions, the Center for Conflict Studies (CCS) and International Research and Documentation Centre War Crimes Trials (ICWC), conducted research on transitional justice, international criminal justice and the role of victims over the last years. The conference on “Victims of International Crimes” took place from October 6th to 8th 2011 at the University of Marburg.

This would not have been possible at all without many helping hands. Particular thanks are due to Wolfgang Form, Iain Fraser, Albrecht Kirschner and Daniela Ziegler who have contributed substantially to the success of the conference through their considerable dedication, expertise and creativity. Our thank goes in particular to Franziska Kowalski and Sebastian Kluckow who not only did tremendous work in organising the conference, but also were, together with Jana Groth, highly committed in assisting us to edit this volume.

Likewise, we are immensely grateful to Philip van Tongeren and Marjolijn Bastiaans at T.M.C. Asser Press for publishing this book.

Finally, we wish to thank the German Science Foundation (DFG) and the Foundation Remembrance, Responsibility and Future (EVZ) for sponsoring the conference and giving us the opportunity to bring together such a great variety of internationally renowned researchers and practitioners.

Marburg, December 2012

Thorsten Bonacker
Christoph Safferling

Contents

1 Introduction	1
Thorsten Bonacker and Christoph Safferling	
1.1 Preliminary Remarks	1
1.2 Part I: Victims in International Law	7
1.3 Part II: Definition of Victims	8
1.4 Part III: Victim Protection and Participation in Criminal Trials.	9
1.5 Part IV: Victims in Transitional Justice Processes	10
1.6 Part V: The Role of Civil Society Actors	12
References	13
Part I Victims in International Law	
2 Victim-Oriented Perspectives: Rights and Realities	17
Theo van Boven	
2.1 Silence and Disregard.	18
2.2 New Trends.	20
2.3 Towards an Inclusive Approach to Reparative Justice	24
2.4 Concluding Remarks	26
References	27
3 On Victims and Non-Victims: Observations from Rwanda	29
Gerd Hankel	
3.1 Introduction	29
3.2 Background: The Genocide of 1994 and the Subsequent Wars	31
3.3 How the Crimes were Punished	33
3.4 What Happened for the Victims	36
3.5 What are the Consequences of the One-Sided Victim Perception for Rwandan Society?	38
3.6 Concluding Reflections	40
References	42

Part II Definition of Victims

4	The Status of Victims Under the Rome Statute of the International Criminal Court	47
	Michael J. Kelly	
4.1	Introduction	48
4.2	Participation in Court Proceedings	49
	4.2.1 Attaining Victim Status	50
	4.2.2 Representation of Victims	52
	4.2.3 Article 68(3): Victim Participation in Proceedings	53
4.3	Protections	56
	4.3.1 Rome Statute Protections: Article 68	57
	4.3.2 Victims and Witnesses Unit	58
	4.3.3 The Court's Role in Victim Protection	58
4.4	Reparations	59
	4.4.1 Reparations Made Against a Convicted Person	59
	4.4.2 The Trust Fund for Victims	61
4.5	Conclusion	65
	References	66
5	The Individualising and Universalising Discourse of Law: Victims in Truth Commissions and Trials	67
	Michael Humphrey	
5.1	Introduction	67
5.2	Rights and Suffering	70
5.3	Truth Commissions	73
5.4	Trials	79
	5.4.1 National Trials	80
	5.4.2 International Trials	83
5.5	Conclusion	86
	References	87
6	Redressing Sexual Violence in Transitional Justice and the Labelling of Women as "Victims"	91
	Susanne Buckley-Zistel	
6.1	Introduction	91
6.2	Sexual Violence During Violent Conflicts	92
6.3	Masculinities and Violence	93
6.4	Sexual Violence and Transitional Justice	95
6.5	Conclusions	98
	References	99
7	Everyone Wanted to be Victim: How Victims of Persecution Disappear Within a Victimised Nation	101
	Brigitte Bailer-Galanda	
7.1	Political and Social Settings in the First Years of the Second Republic of Austria	102

7.2	The Framework for Austria's Dealing with her National Socialist Past	103
7.2.1	The Declaration of Moscow	103
7.2.2	The Externalisation of Responsibility and Guilt	103
7.2.3	The Future State Treaty	104
7.3	The Victims of National Socialist Persecution	105
7.3.1	The Victims Welfare Act and its Selective Definition of Victim	105
7.3.2	Restitution of Lost Property	107
7.3.3	Different Definitions of Victims of National Socialist Persecution	108
7.3.4	A Special Category of Victims	109
7.4	"Aryanisers" as Victims?	110
7.5	Soldiers of the German Army ("Deutsche Wehrmacht")	111
7.6	Mixing of Claims	113
7.7	Former National Socialists: Victims of Denazification?	114
7.8	Immediate Competition Between Former National Socialists and Victims of Persecution	114
7.9	Conclusion: A Nation of Victims	115
	References	116
8	Transcending Victimhood: Child Soldiers and Restorative Justice	119
	Mark A. Drumbl	
8.1	Defining the Terms	122
8.2	Images of Child Soldiers	125
8.3	Social Realities of Child Soldiering: Circumscribed Action	130
8.4	An Emergent Legal Fiction and its Effects	136
8.5	Conclusion	144
	References	144
 Part III Victim Protection and Participation in Criminal Trials		
9	The Protection of Victims in War Crimes Trials	149
	Daniela Kravetz	
9.1	Introduction	150
9.2	Protection Framework	150
9.2.1	General Rules Governing Victim Protection	150
9.2.2	Measures of Protection	154
9.3	Challenges in Providing Protecting	157
9.3.1	Due Process Costs of Protective Measures	157
9.3.2	Enforcing Protective Measures	158
9.3.3	Countering Witness Intimidation	160
9.4	Conclusion	162
	References	162

10 Victims as Witnesses: Views from the Defence 165
 Natalie von Wistinghausen

10.1 To Start with: Who is a “Victim”? 167

10.2 Is Victim Participation Fully Consistent with the Presumption
 of Innocence? 169

10.3 Do Victims Have a Right to a Fair Trial? 171

10.4 Witnesses have far more to say than will ever be heard in court.
 What platform should they be given to tell those parts of their
 story that do not prejudice the fine focus of the law? 172

References 173

**11 Participation Rights of Victims as Civil Parties and the Challenges
 of Their Implementation Before the Extraordinary Chambers
 in the Courts of Cambodia** 175
 Silke Studzinsky

11.1 Introduction 176

11.2 Overview of the Participation Rights and Right to Seek
 Reparation for Victims as Civil Parties Before the ECCC 177

11.2.1 The Legal Basis 177

11.2.2 Participation Rights 179

11.2.3 Reparation Scheme in Case 002 181

11.2.4 The Performance of Civil Party Rights in Practice 183

11.2.5 Lessons Learned 187

11.3 Conclusion 188

Reference 188

12 The ICC’s Practice on Victim Participation 189
 Franziska C. Eckelmans

12.1 Institutional Framework 191

12.2 Application Process 193

12.3 Assessment of Victims’ Applications 197

12.3.1 The Applicant’s Identity as a Natural Person 198

12.3.2 An Organisation as an Applicant 199

12.3.3 Harm Suffered 200

12.3.4 Link Between the Harm Suffered and the Crimes 201

12.4 Legal Representation 202

12.5 New Stage of the Proceedings 204

12.6 The Practice of Victim Participation 206

12.6.1 First Category of Victim Participation 208

12.6.2 Second Category of Victim Participation 210

12.7 Victims and Sentencing 217

12.8 Victims Participation Before the Appeals Chamber 217

12.9 Conclusion 220

References 220

13 Victims’ Rights and Peace 223
 Hans-Peter Kaul
 13.1 Observations and Impressions Regarding Victims’ Issues 224
 13.2 Underlying Reasons 227
 References 229

Part IV Victims in Transitional Justice Processes

14 Victims, Excombatants and the Communities: Irreconcilable Demands or a Dangerous Convergence? 233
 Chandra Lekha Sriram
 14.1 Introduction 233
 14.2 The Context: Justice Versus Peace 234
 14.3 Victim-Centred Justice 235
 14.4 Restorative Justice 238
 14.5 Excombatants and DDR 242
 14.6 Victims and Excombatants in Transition 243
 14.6.1 Tensions and Contestations 243
 14.6.2 Intentional and Unintentional Linkages 245
 14.7 Victims and Excombatants in Recent Transitional Justice Practice 247
 14.8 Conclusions 249
 References 250

15 Victims of Genocide and Crimes Against Humanity 253
 Boris Barth
 15.1 Definitions 253
 15.2 Victim Groups 258
 15.3 Conclusion 260
 References 262

16 Victims of Civil War 263
 Stefanie Bock
 16.1 Introduction 263
 16.2 The Notion of Civil Wars and Their Treatment in International Law 264
 16.3 Structural Characteristics of Civil Wars 265
 16.3.1 The Outbreak of the Violence: Divide of a Society 265
 16.3.2 Asymmetrical Warfare 267
 16.4 The Victims of Civil Wars 269
 16.4.1 The Fine Line Between Victims and Perpetrators 269
 16.4.2 Civilians 270

16.4.3	Soldiers and Fighters	272
16.4.4	Indirect Victims	273
16.5	Conclusion	274
	References	274
17	Valorising Victims' Ambivalences in Contemporary Trends in Transitional Justice	279
	Thorsten Bonacker, Anika Oettler and Christoph Safferling	
17.1	Introduction	280
17.2	The Enhancement of Victim Participation in Transitional Justice	280
17.3	The Institutionalisation of Human Rights	282
17.4	Social Movements and the Diffusion of Victim Rights	284
17.5	Victim-Centred Transitional Justice: The Example of International Criminal Law	286
17.5.1	The Increased Importance in Structured Criminal Law and International Criminal Law	286
17.5.2	Victim Participation in the International Criminal Court	287
17.6	The Ambivalence of Victim-Centred Transitional Justice	289
17.6.1	Exclusionary Mechanisms in International Criminal Law	290
17.6.2	National and Local Perspectives	291
17.7	Conclusion	293
	References	295
18	A Reflection on Transitional Justice in Guatemala 15 Years After the Peace Agreements	297
	Raquel Aldana	
18.1	Introduction	298
18.2	Preliminary Reflections About Transitional Justice in Guatemala	300
18.3	Lessons from the Victims of the Wartime Trials in Guatemala	304
18.4	One Recommendation: Expanding the CICIG to Include the Wartime Trials	308
18.5	Conclusion	314
	References	314
19	The Role and Mandates of the ICC Trust Fund for Victims	317
	Katharina Peschke	
19.1	Short Background	319
19.2	The Two Mandates of the Trust Fund	319
19.3	The Trust Fund as an Agent for Transformation and Empowerment of Victims	321
19.4	The Advantages of the Trust Fund's Dual Mandate	323

19.5 An Outlook to Future Developments: Challenges and Opportunities 325

19.6 Conclusion 327

References 327

Part V The Role of Civil Society Actors

20 From Victimhood to Political Protagonism: Victim Groups and Associations in the Process of Dealing with a Violent Past 331

Veit Strassner

20.1 Introduction 331

20.2 Victims and Victim Groups: A Typology 333

20.3 Victims Organisations: Crucial Actors in a Difficult Policy 336

20.3.1 Coming to Terms with the Past: A Dangerous Policy 336

20.3.2 The Arrangement of Actors 337

20.3.3 Victims Organisations and Agenda-Setting 338

20.3.4 Victim Groups: Dynamic Actors in a Changing Policy 339

20.3.5 The Victims Organisations as Crucial Actors. 341

20.4 The Existence of Victim Groups: A Necessary But Not Sufficient Condition 341

20.5 The Logic of Political Action. 342

20.6 The Tragic Role of the Victim Groups 343

References 343

21 The Role of Cambodian Civil Society in the Victim Participation Scheme of the Extraordinary Chambers in the Courts of Cambodia 345

Christoph Sperfeldt

21.1 Introduction 345

21.2 The Roles of Civil Society in the ECCC’s Victim Participation Process 347

21.2.1 The Messengers: Outreach. 348

21.2.2 The Middlemen: Intermediary Functions. 350

21.2.3 The Providers: Victim Support Services 352

21.2.4 The Benefactors: Restorative Justice and Collective Reparations. 353

21.2.5 The Watchdogs: Monitoring and Advocacy. 354

21.3 The ECCC, Survivors and Civil Society 355

21.3.1 Case 001: Extensive Support by Cambodian NGOs 356

21.3.2 Case 002: Reaching the Limits 358

21.3.3 Coordination and Collaboration Between the ECCC and Civil Society 361

21.3.4 The State, Donors, and Civil Society 363

21.3.5 Local Ownership and Sustainability 365

21.4 Conclusion 367

References 369

**22 Critical Memory Studies and the Politics of Victimhood:
Reassessing the Role of Victimhood Nationalism
in Northern Ireland and South Africa 373**

Marcel M. Baumann

22.1 Introduction: Who Defines a Victim? 374

22.2 Comparative Victimhood Nationalism, State-Led Amnesia
and Civil Society Responses 377

22.2.1 Northern Ireland: Mothers’ Tears and the Peace
Process Contradiction. 378

22.2.2 South Africa: Amnesty Decisions and the Freedom
Park Controversy 383

22.3 Conclusions 388

References 390

Index 395

Abbreviations

AC	Appeals Chamber
Afr J Int Comp Law	African Journal of International and Comparative Law
AHR	The American Historical Review
AIDS	Acquired Immunodeficiency Syndrome
AJI	Asian International Justice Initiative
AJIL	American Journal of International Law
Am J Sociol	American Journal of Sociology
ANC	African National Congress
Ann Rev Political Sci	Annual Review of Political Science
Anthropol Theory	Anthropological Theory
APDH	Asamblea Permanente los Derechos Humanos
APR	Armée Patriotique Rwandaise
APSR	American Political Science Review
AQ	Anthropological Quarterly
Arab Stud Q	Arab Studies Quarterly
ARTS	The Journal of the Sydney University Arts Association
ASR	American Sociological Review
ASRIC	Applied Social Research Institute of Cambodia
AT	Anthropology Today
AUC	Autodefensas Unidas de Colombia
Aust J Anthropol	Austrian Journal of Anthropology
AVEGA	Association des Veuves du Génocide d'Avril
BCTWLJ	Boston College Third World Law Journal
BGBI.	Bundesgesetzblatt
BGHSt	Entscheidungen des Bundesgerichtshofs in Strafsachen
BHRLR	Buffalo Human Rights Law Review
Case West Reserv J Int Law	Case Western Reserve Journal of International Law

CEH	Comisión para el Esclarecimiento Histórico
CELS	Centro de Estudios Legales y Sociales
CICC	Coalition of the ICC
CICIG	Comisión Internacional contra la Impunidad en Guatemala
CJIL	Chicago Journal of International Law
CJR	Center for Justice and Reconciliation
CLF	Criminal Law Forum
CNPT	Comisión Nacional sobre Prisión Política y Tortura
CNRR	Comisión Nacional de Reparación y Reconciliación
Colum J Gener & L	Columbia Journal of Gender and Law
Comp Polit Stud	Comparative Political Studies
CONADEP	Comisión Nacional sobre la Desaparición de Personas
CPC	Cambodian Criminal Procedure Code
CSD	Journal of Conflict, Security and Development
DDR	Disarmament, Demobilization and Reintegration
DED	Deutscher Entwicklungsdienst (German Development Organisation), now GIZ
DJILP	Denver Journal of International Law and Policy
DLJ	The Denning Law Journal
DÖW	Dokumentationsarchiv des österreichischen Widerstandes
DRC	Democratic Republic of the Congo
DUP	Democratic Unionist Party
ECCC	Extraordinary Chambers in the Courts of Cambodia
ECHR	European Convention for Human Rights
ECtHR	European Court of Human Rights
EJCCLCJ	European Journal of Crime, Criminal Law and Criminal Justice
EJIL	European Journal of International Law
Ethics Int Aff	Ethics and International Affairs
Eur Rev Latin Am Caribb Stud	European Review of Latin American and Caribbean Studies
Europe-Asia Stud	Europe-Asia Studies
FAFG	Fundación de Antropología Forense de Guatemala
FAIR	Families Acting For Innocent Relatives
FARC	Fuerzas Armadas Revolucionarias de Colombia
FARG	Fonds d'Appui aux Rescapés du Génocide
FEDEFAM	Federación Latinoamericana de Asociaciones de Familiares de Detenidos-Desaparecidos

Fem LS	Feminist Legal Studies
FF Plus	Freedom Front Plus
FIS	Front Islamique du Salut
Fla Coast L Rev	Florida Coastal Law Review
FPR	Front Patriotique Rwandais
FRG	Frente Republicano Guatemalteco
Gen Dev	Gender & Development
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GJIA	Georgetown Journal of International Affairs
Global Gov	Global Governance
Glob Soc	Global Society
GoJIL	Goettingen Journal of International Law
Hastings Law J	Hastings Law Journal
HHRJ	Harvard Human Rights Journal
HIV	Human Immunodeficiency Virus
Holocaust Genocide Stud	Holocaust and Genocide Studies
HRLR	Human Rights Law Review
HRQ	Human Rights Quarterly
HuV-I	Humanitäres Völkerrecht – Informations- schriften
ICC	International Criminal Court
ICJ	International Court of Justice
ICLR	International Criminal Law Review
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the Former Yugoslavia
ICWC	International Research and Documentation Centre War Crimes Trials
IDDRS	Integrated Disarmament, Demobilisation, and Reintegration Standards
IFJP	International Feminist Journal of Politics
IFP	Inkatha Freedom Party
IJCv	International Journal of Conflict and Violence
IJNL	International Journal of Non-for-Profit Law
IJTJ	The International Journal of Transitional Justice
ILJ	Cornell International Law Journal
ILSAJICL	ILSA Journal of International Comparative Law
IMT	International Military Tribunal
Int J Law Context	International Journal of Law in Context
Int Soc	International Sociology
IRA	Irish Republican Army
IRRC	International Review of the Red Cross
IRV	International Review of Victimology

ISQ	International Studies Quarterly
ITU	Interpretation and Translation Unit
J Appl Philos	Journal of Applied Philosophy
J Int Afr Inst	Journal of the International African Institute
J Intercult Stud	Journal of Intercultural Studies
J Per Soc Psychol	Journal of Personality and Social Psychology
JAMA	The Journal of the American Medical Association
JCLC	Journal of Criminal Law and Criminology
JCLP	Journal of Clinical Psychology
JHR	Journal of Human Rights
JHRP	Journal of Human Rights Practice
JICJ	Journal of International Criminal Justice
JIL	Case Western Reserve Journal of International Law
JILP	Journal of International Law and Politics
JLAS	Journal of Latin American Studies
JTS	Journal of Traumatic Stress
KLA	Kosovo Liberation Army
LJIL	Leiden Journal for International Law
LRA	Lord's Resistance Army
Mem Stud	Memory Studies
MJIL	Michigan Journal of International Law
MSLR	Michigan State Law Review
N Engl Law Rev	New England Law Review
NDJLEPP	Notre Dame Journal of Law, Ethics & Public Policies
NGO	Non-governmental Organisation
NJHR	Nordic Journal of Human Rights
NJIL	Nordic Journal of International Law
NJIHR	Northwestern Journal of International Human Rights
NJW	Neue Juristische Wochenschrift
NY Univ Law Rev	New York University Law Review
OCIJ	Office of the Co-Investigating Judges
ODHAG	Oficina de Derechos Humanos del Arzobispado de Guatemala
OHCHR	Office of the High Commissioner for Human Rights
OPCD	Office for Public Counsel for the Defence
OPCV	Office of Public Counsel for Victims
ORIL	Oregon Review of International Law
OUP	Oxford University Press
PAS	Public Affairs Section
Peace Rev	Peace Review

Peripherie	Peripherie – Zeitschrift für Politik und Ökonomie der Dritten Welt
POW	Prisoner of War
PTC	Pre-trial Chamber
R2P	Responsibility to Protect
REStat	Review of Economics and Statistics
RoC	Regulations of the Court
RPE	Rules of Procedure and Evidence
RPF	Rwandan Patriotic Front
RSC	Revue de Science Criminelle et de Droit Pénal Comparé
RUC	Royal Ulster Constabulary
RUF	Revolutionary United Front
Rutgers Law Rec	The Rutgers Law Record
S Afr J Mil Stud	South African Journal of Military Studies
SADF	South African Defence Force
Saint Louis Univ Public Law Rev	Saint Louis University Public Law Review
SCSL	Special Court for Sierra Leone
SJST	Scandinavian Journal of Social Theory
SLS	Social and Legal Studies
Smith Coll Stud Soc Work	Smith College Studies in Social Work
Soc Anal	Social Analysis
Soc Forces	Journal of Social Forces
Soc Legal Studies	Social & Legal Studies
Stat Abstr Lat Am	Statistical Abstract Latin America
STL	Special Tribunal for Lebanon
TC	Trial Chamber
TFV	Trust Fund for Victims
Third World Q	Third World Quarterly
TIG	Travaux d'Intérêt Général
TJ	Transitional Justice
TJLR	Thomas Jefferson Law Review
TLCP	Transnational Law & Contemporary Problems
TRC	Truth and Reconciliation Commission
Univ La Verne L Rev	University of La Verne Law Review
UC Davis JILP	U.C. Davis Journal of International Law and Policy
UN	United Nations
UNDF	United Nations Detention Facility
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNTAC	United Nations Transitional Authority in Cambodia
UVF	Ulster Volunteer Force

VJTL	Vanderbilt Journal of Transnational Law
VPRS	Victims Participation and Reparations Section
VSS	Victims Support Section
VTF	Victims Trust Fund
VWS	Victims and Witnesses Section
VWU	Victims and Witnesses Unit
WILJ	Wisconsin International Law Journal
WJILDR	Willamette Journal of International Law and Dispute Resolution
WSIF	Women's Studies International Forum
YHRDLJ	Yale Human Rights and Development Law Journal
YIHL	Yearbook of International Humanitarian Law
ZIB	Zeitschrift für Internationale Beziehungen
ZIS	Zeitschrift für Internationale Strafrechts- dogmatik
ZStW	Zeitschrift für die gesamte Strafrechtswissen- schaft

Contributors

Raquel Aldana is Professor of Law and Director of the Inter-American Program at the Pacific McGeorge School of Law, email: raldana@pacific.edu

Brigitte Bailer-Galanda is Academic Director of the Documentation Center of Austrian Resistance in Vienna as well as Honorary Professor at the University of Vienna for Contemporary History, email: brigitte.bailer@doew.at

Boris Barth is Professor of Modern and Contemporary History at the University of Konstanz, email: boris.barth@uni-konstanz.de

Marcel M. Baumann is Lecturer and Senior Researcher at the Department of Political Science at the Albert-Ludwigs-Universität Freiburg, email: marcel.baumann@politik.uni-freiburg.de

Stefanie Bock is Senior Research Assistant of Professor Dr. Kai Ambos, Department for Foreign and International Criminal Law, and Assistant Professor at the Georg-August-Universität Göttingen, email: stefanie.bock@jura.uni-goettingen.de

Thorsten Bonacker is Professor of Peace and Conflict Studies at the Center for Conflict Studies at the Philipps-Universität Marburg, email: thorsten.bonacker@staff.uni-marburg.de

Susanne Buckley-Zistel is Professor of Peace and Conflict Studies at the Center for Conflict Studies at the Philipps-Universität Marburg, email: s.buckley-zistel@staff.uni-marburg.de

Mark A. Drumbl Class of 1975 Alumni Professor of Law and Director, Transnational Law Institute, Washington and Lee University, Lexington, Virginia, USA, email: drumblm@wlu.edu

Franziska C. Eckelmanns is Legal Officer in the Appeals Chamber of the International Criminal Court, email: franziska.eckelmanns@icc-cpi.int

Gerd Hankel is Guest Fellow at the Hamburg Institute for Social Research, email: Gerd.Hankel@his-online.de

Michael Humphrey holds the Chair in Sociology in the Department of Sociology and Social Policy at the University of Sydney, email: michael.humphrey@sydney.edu.au

H.E. Hans-Peter Kaul is a Judge at the International Criminal Court. From 1996 to 2003 he has been the Head of the German delegation for the negotiations for the ICC, before being elected in February 2003 as the First German Judge to the ICC for a period of three years. He was re-elected in 2006 for another period of nine years. From March 2009 to 2012 Judge Kaul has served for three years as the Second Vice-President of the ICC. He is assigned to the Pre-Trial Division, email: Hans-Peter.Kaul@icc-cpi.int

Michael J. Kelly is Professor of Law and Associate Dean for Faculty Research and International Programs, Creighton University School of Law, email: Michael-Kelly@creighton.edu

Daniela Kravetz Trial Attorney, Office of the Prosecution, International Criminal Tribunal for the Former Yugoslavia dkravetz@yahoo.com dkravetz@yahoo.com

Rudolf E. C. Kriszeleit is State Secretary in the Hessian Ministry for Justice, Integration and European Affairs

Anika Oettler is Professor for Sociology at the Philipps-Universität Marburg, email: anika.oettler@staff.uni-marburg.de

Katharina Peschke is Legal Advisor of the Trust Fund for Victims, The Hague, The Netherlands, email: Katharina.Peschke@icc-cpi.int

Christoph Safferling is Professor for Criminal Law, Criminal Procedure, International Criminal Law, and Public International Law at the Philipps-Universität Marburg as well as Director of the International Research and Documentation Centre War Crimes Trials, email: christoph.safferling@jura.uni-marburg.de

Christoph Sperfeldt is Regional Program Coordinator at the Asian International Justice Initiative, a collaborative project between the East–West Center and UC Berkeley’s War Crimes Studies, email: Center csperfeldt@gmail.com

Chandra Lekha Sriram is Professor of Law at the School of Oriental and African Studies at the University of London, email: chandra.sriram@soas.ac.uk

Veit Strassner teaches at the Kurt Schumacher-School in Ingelheim, Germany. He holds a M.A. and a Ph.D. in Political Science and a postgraduate degree (Lic. theol.) in Theology, email: vstrassner@hotmail.com

Silke Studzinsky is a Criminal Defense Lawyer and Legal Representative for Civil Parties. Since February 2008, she has been working with the support of the Civil Peace Service of the German Development Organisation DED (now GIZ) in Cambodia to represent Civil Parties before the Extraordinary Chambers in the Courts of Cambodia, email: silke.eccc@googlemail.com

Theo C. van Boven is Professor Emeritus of International Law at Maastricht University, Faculty of Law (The Netherlands), and Former UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (2001–2004), email: th.vanboven@maastrichtuniversity.nl

Natalie von Wistinghausen is a self-employed Criminal Lawyer and admitted to the list of counsel at the ICC, STL and ICTR. Currently she is defending a Rwandan citizen before the Higher Regional Court of Frankfurt am Main who is accused of participation in the Rwandan genocide, email: office@nvw-law.com