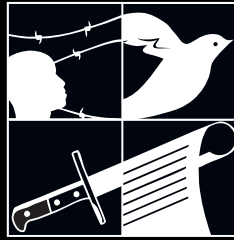


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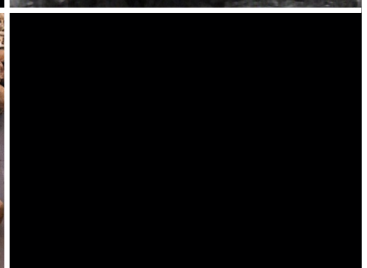
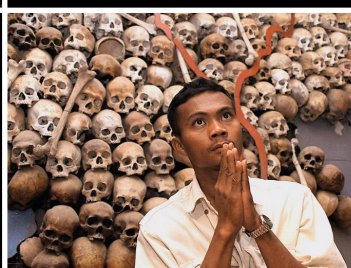
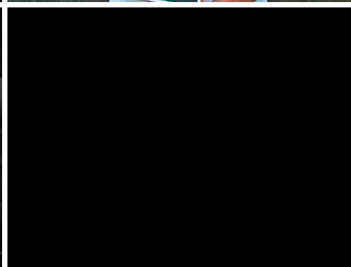
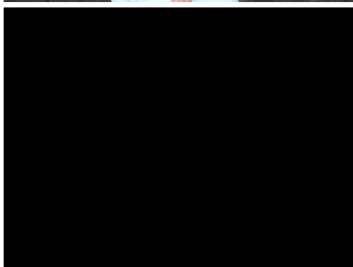
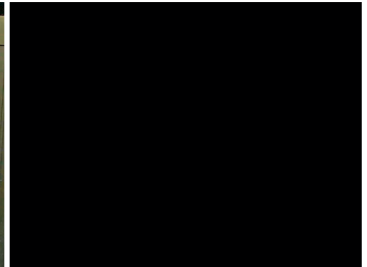
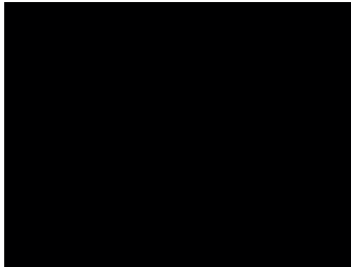


INITIATIVE  
SUR LES CRIMES  
CONTRE  
L'HUMANITÉ

# NEVER AGAIN

## FORGING A CONVENTION FOR CRIMES AGAINST HUMANITY

DISCUSSION GUIDE





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This film is dedicated to the memory of

Whitney R. Harris, Former Nuremberg Prosecutor

Ben Fainer, Holocaust Survivor

The victims of crimes against humanity, everywhere

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(From left) Anna Harris, Benjamin Ferencz, and Leila Sadat, St. Louis, Missouri, 2015

To find out how you can support the Crimes Against Humanity Initiative visit: [CrimesAgainstHumanity.wustl.edu](https://CrimesAgainstHumanity.wustl.edu)

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Dear Viewer,

I am privileged to have launched the Crimes Against Humanity Initiative in 2008, which was the first real effort to draft and have adopted a global treaty on crimes against humanity. Along with my six distinguished colleagues on the Steering Committee, we brought together more than 250 experts from around the world to study the need for a new treaty. Through a series of experts' meetings and consultations, we discovered a significant legal gap that leaves many atrocity crimes unpunished, and many victims of these crimes without access to any justice whatsoever.

Determined to change this, the Initiative drafted a proposed treaty, which now has been translated into eight languages and sparked a global movement. As a result, articles for a new global treaty are emerging from the UN International Law Commission. This work is being closely followed by individuals and organizations around the world. In the coming years, the members of the UN General Assembly will debate what to do with this initiative, whose fate is in their hands. Somehow, they must find the political will to do what is right.

While the film educates the viewer about what crimes against humanity are and how the law can be used as a tool to help prevent them and bring perpetrators to justice, it also tells the stories of the victims: The Colombian mother whose son disappeared; the Iraqi father protecting his daughter from ISIS; the Congolese women describing the rape campaign of rebel groups in their country; the torture victim in Chad; the Holocaust survivor whose family was exterminated; the North Korean internees subject to arbitrary arrest and detention, torture, and sometimes murder. Their searing and courageous testimony is a call to action — to make the promise of *Never Again*, uttered after World War II, a reality.

It is my hope that viewers will be moved by what they see in the film, but that they will also take heart in knowing that there is a global community of individuals working together to try to change the status quo. This global civil society, whose members are found on every continent, has created a network of human rights advocates and practitioners working to make changes that can improve the lives of millions of human beings on this planet that we all share. Although the members of this global village may have different perspectives, and speak different languages, they are united in the common belief that, as the Universal Declaration of Human Rights provides, *the inherent dignity and...the equal and inalienable rights*



*of all members of the human family is the foundation of freedom, justice and peace in the world.*

By watching this film, you have already taken the first step in becoming part of this global movement. By educating yourself about the problem, you become part of the solution. I am convinced that this is an idea whose time has come. I hope that this film has convinced you, too. As civil rights champion Dr. Martin Luther King, Jr. once said, *the arc of the moral universe is long, but it bends toward justice*. Justice is what this Initiative is about. For without justice, there can be no peace.



Leila Nadya Sadat  
St. Louis, Missouri  
July 17, 2017



Members of the Crimes Against Humanity Initiative Steering Committee, Washington, D.C., 2010

### Crimes Against Humanity Initiative Steering Committee

(From left) Professor M. Cherif Bassiouni • Judge Christine Van den Wyngaert  
Professor William Schabas • Justice Richard Goldstone  
Ambassador Hans Corell • Professor Juan Méndez  
Professor Leila Nadya Sadat, Chair

“The drafting of a crimes against humanity convention signifies and solidifies the international community’s quest to implement protection from atrocities that actually descend into evil. *Never Again: Forging a Convention for Crimes Against Humanity* is an enlightening film that captures the corresponding trek along the arc of justice, even as it bends.”

– Patricia Viseur Sellers  
Special Adviser  
to ICC Prosecutor  
Fatou Bensouda



### On Crimes Against Humanity

Crimes against humanity encompass widespread or systematic atrocities committed by States, other entities, and individuals against civilian populations. These crimes, as defined by the Rome Statute of the International Criminal Court, include murder, extermination, enslavement, deportation and forcible transfer of population, imprisonment, torture, rape, apartheid, and more. They are crimes that “shock the conscience of humankind,” that are amongst the worst atrocities perpetrated in the world. Unlike genocide, crimes against humanity do not necessarily target a specific group. They can be committed against any civilian population and without any overall specific intent, in war or in peacetime.

Crimes against humanity were first prosecuted after World War II in 1945 when an international military tribunal at Nuremberg, Germany, convicted Nazi leaders of atrocities. Today some nations have laws penalizing crimes against humanity, but the world still lacks a global treaty for the prevention and punishment of such crimes, which are still perpetrated around the globe—in North Korea, Syria, Iraq, the Democratic Republic of the Congo, and elsewhere.

Under current international law, it is difficult for States to cooperate in criminal matters unless they have signed on to a treaty that binds them to fulfill certain obligations in their own territories and vis-à-vis other States. So although crimes against humanity have existed in customary international law since the Nuremberg trials (and even before), and the International Criminal Court can take on a limited number of cases and situations involving crimes against humanity, it is difficult to prosecute crimes against humanity cases at the national level without a clear treaty definition, national legislation, and methods for inter-state cooperation. This means that many States unwittingly become safe havens for the perpetrators of these crimes.

### Forging a New Convention

To address the absence of a global treaty, the Crimes Against Humanity Initiative was launched in 2008 to analyze the necessary elements for such a convention and to draft a proposed treaty. A Steering Committee of seven distinguished experts in international law directed the Initiative, and one of its members, Professor M. Cherif Bassiouni, who chaired the Drafting Committee for the Rome Statute of the International Criminal Court, presided over the drafting of the *Proposed Convention*, the language of which was agreed to by the Steering Committee in 2010. The *Proposed Convention* seeks to define crimes against humanity, establish guidelines for individual criminal responsibility for natural and legal persons, delineate States’ responsibilities and jurisdiction, promote inter-state

cooperation, protect the human rights of the accused, provide protection and reparations for the victims of crimes against humanity and set out procedures for evidence, extradition, and enforcement.

In 2013, the UN International Law Commission (ILC) began the process of making the treaty a political reality. Work at the ILC has proceeded steadily, and it is expected the Commission will present, on second reading, a full set of draft articles to the General Assembly for study, debate, and approval, perhaps by the year 2019 or 2020.



Experts and members of the UN International Law Commission, Villa Moynier, Geneva, Switzerland, 2014



## Description of the Film

### DISCUSSION GUIDE

#### NEVER AGAIN: FORGING A CONVENTION FOR CRIMES AGAINST HUMANITY



Following World War II, an international tribunal convicted Nazi leaders of crimes against humanity—widespread, systematic atrocities committed against civilian populations, including the attempted extermination of European Jewry. Today, however, some seventy years later, the world still lacks a global treaty for the prevention and punishment of such crimes despite their ongoing perpetration.

The gripping new film, *Never Again: Forging a Convention for Crimes Against Humanity*, delivers stark testimony from survivors of these continuing crimes—as well as calls from international experts working to remedy this gap in international law and justice. Together they present a compelling case for the adoption of a new global treaty by the international community.

Produced by the Crimes Against Humanity Initiative at Washington University School of Law in St. Louis under the direction of Professor Leila Sadat, Director of the Whitney R. Harris World Law Institute, and by Spot Media Production Group, *Never Again* posits that peace is not possible without justice, and that justice will come from the perseverance of global actors dedicated to the possibility of a better world.



(From left) Douglas Pivnichny, Leila Sadat, Evelyn Chuang, and Bethel Mandefro, Geneva, Switzerland, 2014



**Oct. 24, 1945: Establishment of the United Nations**

The United Nations was founded in the aftermath of WWII in an attempt to “save succeeding generations from the scourge of war.” The Preamble affirms the founders’ determination to “promote social progress and better standards of life,” and the importance of “fundamental human rights, in the dignity and worth of the human person, [and] in the equal rights of men and women and of nations large and small.” Its Charter obliges all Member States to promote “universal respect for, and observance of, human rights” and to take “joint and separate action” to achieve that end.

**Nov. 20, 1945 – Oct. 1, 1946: Nuremberg Trials**

The victorious Allied Powers set up tribunals to try German leaders for crimes committed during World War II. The International Military Tribunal at Nuremberg tried twenty-two Nazi defendants for war crimes, crimes against peace, and crimes against humanity, including the highest-ranking SS defendant Ernst Kaltenbrunner, who was convicted of war crimes and crimes against humanity. Because only Germans were tried, the Tribunal was sometimes accused of “victors’ justice.” In addition to the International Military Tribunal, other war leaders were prosecuted in twelve subsequent trials under Control Council Law No. 10. In one such trial, twenty-two defendants of the Einsatzgruppen (SS mobile death squads) were convicted of membership in a criminal organization, war crimes, and crimes against humanity in connection with more than a million civilian deaths.

**Apr. 29, 1946 – Nov. 12, 1948: Tokyo Trials**

The International Military Tribunal for the Far East, established by special proclamation from Supreme Commander for the Allied Powers General Douglas MacArthur, tried twenty-five “Class A” Japanese suspects for crimes against peace, war crimes, and crimes against humanity. Subsequent trials prosecuted many others for crimes against humanity and war crimes.

**Dec. 9, 1948: Genocide Convention Adopted**

The United Nations General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide. It provides that genocide—crimes perpetrated against any national, ethnical, racial, or religious group with the intent to destroy the group in whole or in part, in war or peacetime—is a crime under international law.





### **Dec. 10, 1948: Adoption of the Universal Declaration of Human Rights**

In 1948, the UN General Assembly adopted the Universal Declaration of Human Rights in recognition of the “inherent dignity and...the equal and inalienable rights of all members of the human family.” Those rights include liberty, equal legal protection, freedom of movement and peaceful assembly, as well as freedom from slavery, torture and degrading treatment (among others). The Declaration laid a foundation for subsequent treaties including the International Covenants on Civil and Political Rights, and Economic, Social and Cultural Rights.

### **Aug. 12, 1949: Geneva Conventions Adopted**

The four Geneva Conventions, adopted in 1949 and universally ratified, address the laws of war, setting forth rules of armed conflict and protocols for protecting civilians and combatants—prisoners of war and others—no longer engaged in hostilities:

- ▶ Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field
- ▶ Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea
- ▶ Convention (III) relative to the Treatment of Prisoners of War
- ▶ Convention (IV) relative to the Protection of Civilian Persons in Time of War

Additional Protocols to these Conventions, known as Protocols I and II, were adopted in 1977 to augment the rules of armed conflict in international and non-international armed conflicts, respectively.

### **Apr. 11 - Dec. 15, 1961: Trial of Adolf Eichmann**

After his arrest in Argentina, an Israeli court prosecuted and convicted Adolf Eichmann of crimes against humanity and war crimes (among others) for his role in organizing the mass deportation of Jews to extermination camps during the Holocaust. Eichmann, who had fled to Argentina in 1950 with the aid of the Nazi underground, had masterminded moving Jewish people out of their homes into ghettos and into extermination camps. The trial further heightened public awareness of Holocaust atrocities.

**May 11 - July 4, 1987: Trial of Klaus Barbie**

A French jury convicted the Nazi “Butcher of Lyon” Klaus Barbie, extradited from Bolivia, for crimes against humanity committed in France during World War II. Barbie had organized the deportation of thousands of French Jews and Resistance members to extermination and labor camps, and tortured and executed many other prisoners. Barbie, directly responsible for the deaths of some 14,000 French civilians, had been awarded the Iron Cross First Class by Adolph Hitler in 1943, in part for his capture of French Resistance leader Jean Moulin.

**May 25, 1993: International Criminal Tribunal for the Former Yugoslavia (ICTY)**

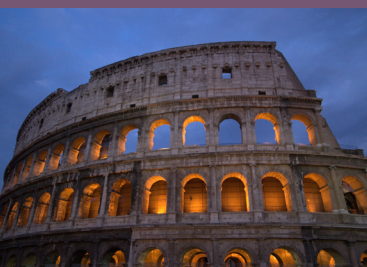
UN Security Council Resolution 827 established the ICTY—the first international war crimes tribunal founded since Nuremberg—to prosecute perpetrators of atrocities during the 1990s Balkan conflicts. Its mandate covered serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991, including grave breaches of the Geneva Conventions, violations of the laws and customs of war, genocide, and crimes against humanity. It has indicted 161 persons accused of crimes during the Balkan conflicts, and convicted and sentenced eighty-three persons. Of those persons indicted by the ICTY, seventy-eight included sexual violence charges. The ICTY was intended to be temporary, and has almost completed its work.

**Mar. 17 – Apr. 20, 1994: Trial of Paul Touvier**

Nazi collaborator Paul Touvier was the first Frenchman tried for and convicted of crimes against humanity committed during World War II in France, where he was involved in killing seven Jews at Rillieux-la-Pape in June 1944. He also was accused of executing a prominent human rights leader and his wife, directing the deportation of Jews, and twenty additional allegations. A French court sentenced him to life imprisonment.

**Nov. 8, 1994: International Criminal Tribunal for Rwanda (ICTR)**

The UN Security Council established the ICTR by Resolution 955 in response to the 1994 Rwandan genocide. It mandated the prosecution of persons responsible for genocide and serious violations of international humanitarian law, including crimes against humanity and violations of the Geneva Conventions, committed in Rwanda in 1994. After some twenty years in existence, the ICTR has indicted ninety-three individuals,



resulting in sixty-two convictions and fourteen acquittals. The ICTR closed at the end of 2015, and operates residually under the Mechanism for International Criminal Tribunals.

### **June 15 – July 17, 1998: The Rome Diplomatic Conference and Adoption of the Rome Statute of the International Criminal Court (ICC)**

The Rome Conference, held with the participation of over 160 governments and 250 non-governmental organizations, adopted the Rome Statute of the International Criminal Court on July 17, 1998. It established the ICC and identified four core international crimes for which individuals could be held criminally responsible in cases within its jurisdiction: genocide, crimes against humanity, war crimes, and the crime of aggression. After the Rome Statute entered into force in 2002, the Court began operations on July 1, 2002, and has indicted more than forty individuals. A total of 124 States are Parties to the Rome Statute as of July 4, 2017.

### **Oct. 10, 1998: Indictment of General Augusto Pinochet by Spanish Magistrate Baltasar Garzón**

Former Chilean President Augusto Pinochet was charged with human rights violations, including murder, disappearance, and torture, by a Spanish court (requesting his extradition) in 1998 in connection with crimes committed against Spanish citizens during his regime. The leader of the military junta that overthrew President Salvador Allende's socialist government in 1973 and remained in power until 1990, Pinochet moved to crush Chile's liberal opposition during his rule, arresting some 130,000 people in the first three years of his regime, up to 35,000 of whom were tortured. As a former President and later "Senator for life," Pinochet was immune from prosecution in Chile until the Chilean government stripped him of immunity for specific cases in 2000 and 2004.

### **Mar. 24, 1999: UK House of Lords Finds that Pinochet can be Extradited to Spain**

After his indictment by Spanish courts, Pinochet was detained by British authorities who found he could be extradited to Spain on charges of torture. He was subsequently released when found unfit for trial, and was allowed to return to his native Chile, where he was indicted first in 2000 and later in 2004 after the Chilean Supreme Court found him mentally incapable of defending himself in the first case. Pinochet died in 2006 without ever being tried for the human rights abuses that occurred during his rule; however, the case is considered a landmark ruling.



### **June 6, 2000: Special Panels for Serious Crimes in East Timor**

The United Nations Transitional Administration in East Timor created the Special Panels of the Dili District Court to try serious international and national crimes committed in East Timor in 1999, when anti-independence militants launched widespread attacks on civilians. Between 2000 and 2006, the Special Panels indicted some 400 people for genocide, war crimes, crimes against humanity, murder, sexual offenses, and torture, using East Timor law as well as international treaties, norms, and principles. They held fifty-five trials involving eighty-seven defendants, which resulted in eighty-four convictions.

### **Jan. 16, 2002: Special Court for Sierra Leone (SCSL)**

The Government of Sierra Leone and the United Nations established a hybrid court following the decade-long civil war in Sierra Leone from 1991 to 2002. The SCSL sought to prosecute those responsible for serious violations of international humanitarian law and Sierra Leonean law, including crimes against humanity. It indicted thirteen and convicted nine defendants, including former Liberian President Charles Taylor, who is serving a fifty-year sentence in the United Kingdom. The SCSL completed its mandate and now operates under a residual mechanism.

### **June 6, 2003: Extraordinary Chambers in the Courts of Cambodia (ECCC)**

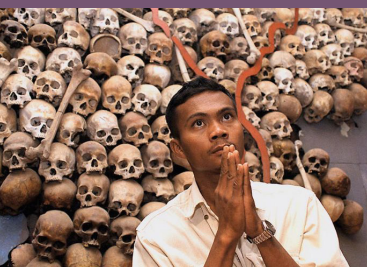
Cambodia and the United Nations established a hybrid court in the Cambodian domestic system to prosecute senior leaders of Democratic Kampuchea during the murderous Khmer Rouge regime in the late 1970s, under which at least 1.7 million people died from starvation, torture, execution, and forced labor. The ECCC prosecutes serious violations—murder, torture, genocide, religious persecution, and more—under Cambodian penal law, international humanitarian law, and international conventions. As of July 2017, three Khmer Rouge leaders, including Pol Pot’s right-hand man Nuon Chea, have been convicted and are serving life sentences.

### **Feb. 28, 2000 – Feb. 25, 2005: Trial of Zoran Žigić**

The International Criminal Tribunal for the former Yugoslavia sentenced the former prison camp guard to twenty-five years imprisonment for murder, torture, and crimes against humanity. The Tribunal’s indictment cited brutal and inhumane camp conditions where he worked, including torture, murder, and sexual violence, with hundreds dying as a result.

“The proposed global convention on crimes against humanity is a ground-breaking initiative that will reinforce the international community’s responsibility to ensure that those who commit heinous crimes are brought to justice...Lawyers worldwide should actively support and promote this landmark initiative.”

– Mark Ellis  
Executive Director  
International Bar  
Association



### **Nov. 7, 2005 – Apr. 7, 2009: Former President Alberto Fujimori Arrested in Chile, Extradited to Peru, and Convicted of Human Rights Abuses**

The former Peruvian President fled his country in 2000 when implicated in widespread corruption and human rights violations. Fujimori first took refuge in Japan, but was arrested in Chile when he visited there and extradited to Peru to face criminal charges. On April 7, 2009, a three-judge panel found Fujimori guilty of human rights violations related to actions by the Grupo Colina death squad during his government's battle against leftist guerrillas in the 1990s, including the murder of twenty-five individuals (the Barrios Altos Massacre), kidnapping, and crimes against humanity. He was also convicted of abuse of power in an earlier case in 2007. Fujimori's trial marked the first time a democratically elected President was tried and convicted of human rights abuses in his own country. He was sentenced to twenty-five years in prison.

### **Feb. 26, 2007: International Court of Justice (ICJ) Renders Judgment in Bosnia and Herzegovina v. Serbia and Montenegro**

Bosnia and Herzegovina brought an action against the then-Federal Republic of Yugoslavia (Serbia and Montenegro) alleging that Serbia had violated the Genocide Convention and could be held responsible for the international crimes committed by Bosnian Serb forces during the Balkan conflict. The ICJ found that the massacre of Muslims at Srebrenica was a genocide, but that Serbia was not directly responsible for it because the evidence did not show a cause and effect relationship between Serbia's inaction and the massacre committed by Bosnian Serb forces. However, it did decide that Serbia had breached the Genocide Convention for its failure to prevent the massacre and for its failure to punish the perpetrators, notably General Ratko Mladić. The Court noted that it did not have jurisdiction to rule on crimes against humanity or other international crimes that took place during the conflict because its jurisdiction was limited to the Genocide Convention.

### **May 30, 2007: Special Tribunal for Lebanon (STL)**

Following the 2005 assassination of former Lebanese Prime Minister Rafik Hariri and others, UN Security Council Resolution 1757 established a hybrid court to prosecute those responsible under Lebanese and international law. The STL continues its work despite unsuccessful efforts to locate and arrest key defendants.

### **Nov. 24, 2009 – May 23, 2014: International Criminal Court (ICC) Trial and Sentencing of Germain Katanga**

Germain Katanga, former leader of the FRPI (Patriotic Resistance Force in Ituri), was accused of perpetrating a 2003 attack on Bogoro, a village in the Democratic Republic of the Congo. The attack involved the killing of 200 civilians, the presence of child soldiers, pillaging, and sexual slavery among other crimes. Congolese authorities surrendered Katanga to the ICC to face charges of war crimes and crimes against humanity in 2007. The ICC found him guilty of one count of crimes against humanity and four counts of war crimes for his role in contributing to the attack, and sentenced him to twelve years imprisonment. It was the second trial to take place before the ICC.

### **July 2 – Dec. 22, 2010: Former Argentine President Jorge Rafael Videla Tried and Convicted of Crimes Against Humanity**

After overthrowing Isabel Perón in a 1976 coup, Videla oversaw kidnappings, forced disappearances, widespread torture, and the murder of political opponents at secret detention camps during his reign of terror. Tried and convicted by an Argentinian court for crimes against humanity in 2010, Videla was convicted of additional crimes in 2012 and died in prison in 2013.

### **Sept. 26, 2013: Former Liberian President Charles Taylor's Conviction and Sentence Upheld by the Special Court for Sierra Leone**

A rebel group leader and warlord elected Liberian President in 1997, Taylor was accused of war crimes, crimes against humanity, and other serious violations of international humanitarian law for his involvement in the Sierra Leone Civil War. After losing control of Liberia and fleeing into exile in Nigeria, he was eventually arrested by Nigerian authorities, transferred to UN custody, and brought to Sierra Leone to stand trial for his crimes. The SCSL, established by the UN and the Government of Sierra Leone, found Taylor guilty of war crimes and crimes against humanity and sentenced him to fifty years imprisonment.



**July 20, 2015 – Apr. 27, 2017: Former Chadian President Hissène Habré Convicted of Torture, War Crimes, and Crimes Against Humanity**

After being overthrown and fleeing to Senegal, the former Chadian dictator faced trial by a special tribunal convened within the Senegalese courts (the Extraordinary African Chambers). The Court found Habré guilty of torture, war crimes, and crimes against humanity, including rape and sexual slavery, and sentenced him to life in prison. The verdict was confirmed on appeal. The conviction for human rights abuses, the first ever of a former head of state in the court of another country, was characterized by the *New York Times* as “a milestone for justice in Africa.”



Victims of the Khmer Rouge at S-21 Prison, now the Tuol Sleng Genocide Museum, Phnom Penh, Cambodia



## People (in order of appearance)



### Ben Fainer (1930 – 2016)

Polish Holocaust survivor Ben Fainer was nine years old when the Nazi Army came to his town. For the next six years at six different concentration camps he witnessed and experienced immense suffering, including the loss of his mother, three siblings, and more than 250 other relatives. On a final death-march in spring 1945, Fainer was liberated by American soldiers and eventually settled in St. Louis, Missouri. In 1996 he broke his decades-long silence about those events, speaking publicly about his concentration camp experience and later publishing an autobiography.



### Leila Nadya Sadat

Leila Nadya Sadat, the James Carr Professor of International Criminal Law at Washington University School of Law, has served as Director of the Whitney R. Harris World Law Institute since 2007. An internationally renowned human rights expert specializing in international criminal law, she is a prolific scholar with more than 100 articles and books to her name. She attended the Rome Diplomatic Conference as Chair of the International Law Association (American Branch) Committee on the International Criminal Court and has been serving as Special Adviser on Crimes Against Humanity to International Criminal Court Prosecutor Fatou Bensouda since 2012.



### Richard Goldstone

Richard Goldstone served as the Chief Prosecutor of the International Criminal Tribunals for the former Yugoslavia and for Rwanda from August 1994 to September 1996. Previously a judge for twenty-three years, the last nine as a Justice of the Constitutional Court of South Africa, he chaired the South African Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation and co-chaired the International Independent Commission on Kosovo. Goldstone has taught as a Visiting Professor at a number of US law schools and has served as a Steering Committee member for the Crimes Against Humanity Initiative since 2007.



**Robert Jackson (1892 – 1954)**

Robert Jackson was the Chief US Prosecutor at the International Military Tribunal at Nuremberg, Germany. Appointed by President Truman to orchestrate, administer, and implement the trials of the major Nazi war criminals, Jackson created a format that blended the disparate precedents and procedures of four Allied nations—the United States, Russia, France, and Britain—and coined terms for previously undefined international crimes. The legal precedents he set continue to affect the international law community today.

**Whitney Harris (1912 – 2010)**

Whitney Harris served as trial counsel, prosecuting major German war criminals before the International Military Tribunal at Nuremberg, from 1945-1946, including Ernst Kaltenbrunner, the Gestapo, and the SD. He obtained direct evidence of the Holocaust, including the confession of Auschwitz concentration camp commander Rudolf Hoess. His 1954 book, *Tyranny on Trial*, was the first comprehensive book on the Nuremberg trials. In 2001, he endowed the Institute for Global Legal Studies at Washington University School of Law in St. Louis, renamed the Whitney R. Harris World Law Institute in 2008.

**Benjamin Ferencz**

Hungarian-born American lawyer Benjamin Ferencz has long been a staunch advocate of the international rule of law and the International Criminal Court. In World War II he served in an anti-aircraft artillery battalion under General George Patton. After the war he acted as Chief Prosecutor for the US Army at the Einsatzgruppen trial, one of the twelve subsequent Nuremberg military trials, securing the conviction of twenty-two of the world's most ruthless criminals. His first book, *Defining International Aggression: The Search for World Peace* (1975), ranks as a seminal work on the need for establishing institutions to promote world peace.

**Fatou Bensouda**

Chief Prosecutor of the International Criminal Court since 2012, Gambian lawyer Fatou Bensouda previously held the position of ICC Deputy Prosecutor from 2004 to 2012. She has served as a delegate to United Nations conferences on crime prevention, the Organization of African Unity's Ministerial Meetings on Human Rights, and the Preparatory Commission for the International Criminal Court. Prior to her work at the ICC, Bensouda served as Senior Legal Adviser and Head of the Legal Advisory Unit at the International Criminal Tribunal for Rwanda in Arusha, Tanzania. Earlier in The Gambia she served as Attorney General and Minister of Justice, acting as Chief Legal Advisor to the President and Cabinet.

**Serge Brammertz**

Serge Brammertz was appointed by the UN Security Council to serve as Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia starting in 2008. Previously, in January 2006, UN Secretary-General Kofi Annan appointed him as Commissioner of the UN International Independent Investigation Commission into the assassination of former Lebanese Prime Minister Rafik Hariri. In other roles he supervised numerous investigations and trials related to cases of organized crime, terrorism, international drug trafficking, human trafficking, and violations of international humanitarian law.

**Christine Van den Wyngaert**

Christine Van den Wyngaert has served as a judge at the International Criminal Court since 2009 and as a Steering Committee member for the Crimes Against Humanity Initiative since 2007. Her extensive international judicial experience includes serving at the International Court of Justice and the International Criminal Tribunal for the former Yugoslavia from 2003 to 2009. In 2006, she was awarded the Prize of the Human Rights League and in 2013 granted the title of Baroness by the King of Belgium for her merits as an academic and an international judge.



“This film graphically demonstrates a great gap in our legal system that needs to be filled urgently. We have known about crimes against humanity for a very long time. But the international and national legal communities have been neglectful of their duty to protect people against those crimes as they should have done. *Never Again: Forging a Convention for Crimes Against Humanity* offers a big step forward in making the world a better place in which to live in peace.”

– Sir Geoffrey Palmer  
Former Prime Minister  
of New Zealand



### David Scheffer

David Scheffer, the Mayer Brown/Robert A. Helman Professor of Law and Director of the Center for International Human Rights at Northwestern University, previously served as US Ambassador at Large for War Crimes Issues (1997-2001) and led the US delegation in UN talks establishing the International Criminal Court. During his ambassadorship, he negotiated and coordinated US support for the establishment and operation of international and hybrid criminal tribunals and US responses to atrocities worldwide. Since 2012, Scheffer has served as the UN Secretary-General's Special Expert on United Nations Assistance to the Khmer Rouge Trials.



### Charles Jalloh

Charles Jalloh, Professor at Florida International University College of Law, is the Founding Director of the African Court Research Initiative. His recent research has focused on international criminal law, including the tense relationship between Africa and the International Criminal Court. Previously he practiced law as counsel in the Crimes Against Humanity and War Crimes Section of the Canadian Department of Justice, and served as an Associate Legal Officer in Chambers at the International Criminal Tribunal for Rwanda and Legal Advisor to the Office of the Principal Defender at the Special Court for Sierra Leone. He was elected to the UN International Law Commission in 2016.



### William Schabas

William Schabas serves as Professor of International Law at Middlesex University School of Law in London, Professor of International Criminal Law and Human Rights at Leiden University, and Emeritus Professor of Human Rights Law at the National University of Ireland Galway. A Crimes Against Humanity Initiative Steering Committee member since 2007, he is the author of more than twenty books dealing in whole or in part with international human rights law, including *The Universal Declaration of Human Rights: The Travaux Préparatoires*; *Unimaginable Atrocities: Justice, Politics, and Rights at the War Crimes Tribunals*; and *The International Criminal Court: A Commentary on the Rome Statute*. Schabas was a member of the Sierra Leone Truth and Reconciliation Commission and Chairman of the UN Commission of Inquiry on the 2014 Gaza Conflict.





### **M. Cherif Bassiouni (1937-2017)**

Crimes Against Humanity Initiative Steering Committee member M. Cherif Bassiouni is an Emeritus Professor of Law at DePaul University College of Law, where he taught from 1964 to 2009. He has served in twenty-two different United Nations positions including Chair of the Commission of Inquiry for Libya (2011-12). His numerous distinctions and awards include a 1999 nomination for the Nobel Peace Prize for his work in the field of international criminal justice and for his contribution to the creation of the International Criminal Court. Bassiouni has authored twenty-four books and co-authored four more, edited forty-six books, and published more than 250 articles on international criminal law, comparative criminal law, human rights, and US criminal law in various law journals and books.



### **Sean Murphy**

Sean Murphy, the Patricia Roberts Harris Research Professor of Law at George Washington University Law School, serves as a member of the UN International Law Commission, acting as its Special Rapporteur for crimes against humanity. Before entering academia, Murphy held posts at the US Department of State, the US Embassy in The Hague, the International Court of Justice, the International Criminal Tribunal for the former Yugoslavia, and the Iran-US Claims Tribunal. He has also served as arbitrator, counsel, or expert in cases before international courts and tribunals on behalf of Ethiopia, Kosovo, Indonesia, Macedonia, Suriname, Uganda, and the United States.



### **Hugo Relva**

A legal adviser on the International Justice team at Amnesty International since 2004, Hugo Relva has represented Amnesty International before the UN International Law Commission, the Sixth Committee, the ICC Assembly of States Parties, the ICC Review Conference in Kampala, and the Inter-American Court of Human Rights. He has also participated in research missions in Colombia, Kosovo, Serbia, and Sierra Leone, and conducted trial observation of the case against Alberto Fujimori in Peru. He has authored numerous official publications and legal submissions of Amnesty International.





## Places

### Chad: 1982 – 1990

Under President Hissène Habré, who ruled Chad from 1982-1990, the people of Chad suffered torture, rape, sexual slavery, mass executions, and the destruction of entire villages, often targeting civilians of certain ethnic or political groups. A Chadian Commission of Inquiry found that Habré's government carried out some 40,000 politically motivated murders and 200,000 cases of torture; however, he sought refuge in Senegal after being deposed in 1990. Habré was finally tried before the Extraordinary African Chambers in Senegal, after Belgium successfully brought a case against Senegal at the International Court of Justice demanding his trial or extradition. In 2016, the Extraordinary Chambers convicted Habré of torture, crimes against humanity, and war crimes, and sentenced him to life in prison. His sentence was confirmed on appeal. His trial was the first in which one country prosecuted the former leader of another for human rights crimes, and is an important example of prosecution for international crimes through universal jurisdiction.

### Colombia: 1964 – Present Day

Despite a 2016 peace deal between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) after decades-long conflict, atrocities continue to be committed in Colombia—including torture, rape, and killing. The International Committee of the Red Cross (ICRC), in its 2017 report, indicated 838 violations of international humanitarian law, 40 percent of which affected women and children. The conflict has killed an estimated 260,000 people and displaced 6.9 million since 1964.

### Democratic Republic of the Congo (DRC): Mid-1990s – Present Day

The UN has reported that killing, rape, and sexual assault are part of an ethnic cleansing campaign carried out by rebel groups in the DRC. Although the country has suffered decades of armed conflict, fighting increased from 1998-2003, and there are up to seventy armed groups operating within the DRC. Armed conflict is fueled by competition for natural resources, political control, and ethnic tensions in the region including those that have spilled over from neighboring countries, and is plagued by the widespread use of sexual violence and gender-based crimes as weapons of war. In June 2017, UN human rights chief Zeid Ra'ad al-Hussein stated that a government-linked militia had committed recent attacks that included cutting off toddler's limbs and stabbing pregnant women. Seething ethnic rivalries and competing claims over mineral

resources could trigger a wider conflict and more atrocities. The conflict and its aftermath are estimated to be responsible for the loss of over five million lives—the most of any conflict since World War II.

### **Europe: 1933 – 1945**

Aiming to annihilate the Jewish race, Hitler's Army wiped out nearly two-thirds of the European Jewish community during World War II, including many of Germany's own citizens. Although European Jews were the primary targets of persecution, Roma, mentally or physically disabled individuals, and other civilians and prisoners of war were also victims of Nazi atrocities, as were Germans who resisted Hitler's rule. After the war, the Allied Powers prosecuted Nazi leaders for crimes against peace, crimes against humanity, and war crimes at the International Military Tribunal at Nuremberg, Germany. Previous laws of war protected only civilians living in countries attacked by foreign forces, not those attacked by their own State. Jurists came to call such atrocities "crimes against humanity," leading to the current attempt to establish a UN treaty to protect civilians worldwide from such actions.

### **Iraq and Syria: Present Day**

Aiming to create an Islamic State or caliphate across Iraq, Syria, and beyond, the armed group known as the Islamic State of Iraq and Syria (ISIS) is repeatedly perpetrating atrocities against civilians, including executions, rape, sexual slavery, starvation, beheading hostages and prisoners of war and torturing children. ISIS uses social media to broadcast calls for followers to commit executions, torture, and other atrocities. The conflict has displaced over three million people since 2014.

### **North Korea: 1953 – Present Day**

More than 120,000 political prisoners are suffering inhumane conditions in secret camps in North Korea. A 2014 UN Commission of Inquiry found evidence of widespread crimes against humanity being committed by the North Korean regime, stating they were "without any parallel in the contemporary world." Civilians continue to suffer torture, sexual violence, arbitrary detention, starvation, abduction, and other grave violations of human rights.





### **United Nations (UN)**

Headquartered in New York City, the United Nations came into existence in 1945 in response to the carnage and atrocities of World War II. The mission and work of the United Nations are guided by the principles contained in its founding Charter. The UN's various agencies address issues confronting humanity such as peace and security, climate change, sustainable development, human rights, disarmament, terrorism, humanitarian and health emergencies, gender equality, governance, food production, and more.

### **UN General Assembly**

Comprising 193 Member States having equal representation, the General Assembly is the chief deliberative, policymaking and representative organ of the United Nations. The General Assembly meets at UN headquarters in New York and may ultimately vote on the adoption of a new global treaty on crimes against humanity. Alternatively, such a treaty could be adopted at a diplomatic conference convened by the UN General Assembly.

### **UN International Law Commission (ILC)**

The ILC conducts its work at the *Palais des Nations* in Geneva, Switzerland. It was established by the UN General Assembly in 1947 to promote “the progressive development of international law and its codification.” The Commission is comprised of thirty-four members who are elected by the General Assembly to serve five-year terms. In 2013, the Commission added the topic of crimes against humanity to its program of work.

### **UN Security Council**

The Security Council is the UN organ entrusted with primary responsibility for maintaining international peace and security. It has the power to take decisions that States must comply with. It can impose sanctions and even authorize the use of force to restore international peace and security. Its five permanent members—China, France, Russia, the United Kingdom, and the United States—have a right to veto the adoption of any substantive resolution or decision brought to the Council. International courts have found that the Security Council can establish temporary international tribunals to prosecute crimes in limited situations (such as the International Criminal Tribunals for the former Yugoslavia and for Rwanda). It can also refer cases to the International Criminal Court or halt prosecutions there.



### **International Court of Justice (ICJ)**

Established in 1945 by the UN Charter, the ICJ is the principal judicial organ of the United Nations. It is headquartered in The Hague, The Netherlands, and settles disputes under international law submitted by UN Member States and issues advisory opinions on legal issues when requested to do so by the UN General Assembly, Security Council, or other authorized UN organs and specialized agencies. Often referred to as the World Court, it resolves disputes between States, although States must consent to be subject to its jurisdiction. The Court is composed of fifteen judges, who are elected for nine-year terms by the UN General Assembly and the Security Council.

### **International Criminal Court (ICC)**

Established by the 1998 Rome Statute of the International Criminal Court, the world's first permanent international criminal court stands as a court of last resort, complementing national courts in a global effort to end impunity for the commission of international crimes. Based in The Hague, The Netherlands, the Court began functioning in 2002 when the Rome Statute entered into force and now has 124 States Parties. The Court's eighteen judges are elected by the ICC Assembly of States Parties and serve nine-year, non-renewable terms. The Chief Prosecutor, currently Fatou Bensouda, also serves a non-renewable, nine-year term.

### **Office of the UN High Commissioner for Refugees (UNHCR)**

Created in 1950 during the aftermath of World War II, the Geneva-based refugee agency is the humanitarian arm of the United Nations tasked with protecting and assisting refugees, forcibly displaced communities, and stateless people. It regularly publishes reports related to global refugee and displacement issues and provides critical emergency assistance to those forced to flee humanitarian crises. The High Commissioner, currently Filippo Grandi, is the head of the agency.

“‘Never again,’ it was said in 1945, in Nuremberg’s Courtroom 600. Yet the horrors continue and the need for new laws—on the protection of individuals, on the prevention of crimes against humanity—and their enforcement is today more pressing than ever. Washington University School of Law has been leading the charge, a clarion call for justice and humanity, for a convention for crimes against humanity. This necessary, urgent film tells us why.”

– Philippe Sands  
Author of *East West Street: On the Origins of “Genocide” and “Crimes Against Humanity”*



## **Aggression\***

The planning, preparation, initiation or execution of an act of aggression—committed by a person in a position to control the political or military action of a State—that “manifestly” violates the UN Charter due to its character, gravity, and scale. That includes the use of armed force by a State against another State through invasion, armed attack, military occupation, bombardment, blockade, and sending armed bands or mercenaries.

## **Arbitrary Arrest and Detention\***

Imprisoning or otherwise severely depriving persons of their physical liberty “in violation of fundamental rules of international law” is a crime against humanity under the Rome Statute. Under international law, individuals may only be arrested and detained according to established procedures and domestic laws authorizing and governing arrest and detention. Arrest or detention is considered arbitrary when it has no basis in established law; when the legal authority for it does not conform to international standards; where the law is vague, overly broad, or incompatible with other human rights law; or when it violates individuals’ fair trial rights, among other circumstances.

## **Civil Society**

Along with business and government, civil society is comprised of civil organizations and non-governmental organizations. It includes community groups, charitable or faith-based organizations, professional associations, labor unions, indigenous groups, and any other private or non-governmental organization playing a part in the public sphere.

## **Crimes Against Humanity\***

Acts committed as part of a “widespread or systematic attack directed against any civilian population.” Those acts include murder, extermination, enslavement, deportation, forcible transfer, imprisonment, torture, rape, sexual slavery, persecution, apartheid, enforced disappearance, and other inhumane acts. The Rome Statute requires the multiple commission of acts “pursuant to or in furtherance of a State or organizational policy.”

## **Customary International Law**

An international legal obligation established by general and consistent State practice, as opposed to a formal treaty or convention. It must be shown that States are following customary international rules out of a sense of legal obligation (*opinio juris*) before a customary practice is considered legally binding.

## **Enforced Disappearance\***

The “arrest, detention, or abduction of persons by, or with the authorization, support, or acquiescence of” the State or a political

organization, followed by refusal to acknowledge such acts or to give information on the fate or whereabouts of the disappeared person, which places that person outside the protection of the law.

**Genocide\***

Under international law, genocide means acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group. Those acts include killing group members, causing serious bodily or mental harm, deliberately inflicting conditions calculated to bring about physical destruction, and imposing measures to prevent births within the group, such as forcibly transferring children to another group.

**International Criminal Law**

A subset of international law governing the criminal responsibility of natural and legal persons for international crimes. International crimes include genocide, crimes against humanity, war crimes, aggression, slavery, torture, piracy, terrorism and corruption. More than 300 treaties exist criminalizing various actions. International crimes are created both by customary international law and by specific treaties.

**International Law**

The set of legal rules governing international relations between public entities, including States and international organizations. It includes international criminal law, humanitarian law, human rights law, and other specialized bodies of law that govern obligations between States and obligations that States have towards their citizens. Treaties and customary international law are primary sources of international law.

**Inter-State Cooperation in Criminal Matters**

Mutual recognition by sovereign States of arrest warrants, investigation orders, penal judgments, and more. Often treaties and international agreements act to codify and require mutual aid and reciprocity in extradition, intelligence gathering, and other crime-related enforcement and justice activities.

**Non-Governmental Organizations (NGO)**

Not-for-profit groups that operate independent of States and governmental organizations. A number of NGOs play important roles in monitoring human rights abuses and providing aid to victims of crimes against humanity.

**Rape and Sexual Violence\***

Sexual violence crimes are acts of a sexual nature committed by force, threat of force or coercion (caused by fear of violence, duress, detention, psychological oppression or abuse of power), or by taking advantage of a coercive environment or a person's incapacity to give genuine consent.





Rape specifically is the invasion of a body of a person by conduct resulting in penetration, and like other sexual violence crimes, involves the use of force, threat of force, or coercion. Rape and other forms of sexual violence can be both war crimes and/or crimes against humanity under the Rome Statute, depending on the circumstances under which they are committed.

### **Torture and Cruel Treatment\***

Intentionally inflicting “severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused” that is not the result of lawful sanctions.

### **Treaties, Conventions, and Protocols**

Treaties are agreements concluded between States or international organizations that create binding obligations under international law. Treaties are also often called conventions. Protocols are additional legal instruments that are relevant to a treaty or convention, but are concluded, signed, and ratified separately by States that choose to do so. Protocols often address new concerns that have arisen since the original treaty, make changes to earlier treaties, or complement the original treaty by adding obligations such as an enforcement mechanism.

### **Universal Jurisdiction**

A doctrine positing that national courts may prosecute individuals for serious crimes under international law, such as crimes against humanity, war crimes, genocide, aggression, and torture, regardless of where the crime occurred, the nationality of the perpetrator or victim, or where the perpetrator was found. It derives from the principle that these crimes damage the international community and international order, so legal action by individual States is warranted. Universal jurisdiction is generally used when other forms of criminal jurisdiction are absent.

### **War Crimes\***

Acts committed against protected persons (civilians and soldiers not taking part in hostilities) during armed conflict such as willful killing; torture and inhuman treatment; sexual violence; taking hostages; unlawful confinement, deportation or transfer; and depriving protected persons of fair trial rights. They also include intentionally attacking civilian populations; attacking civilian buildings or objects that are not military objectives; pillaging; conscripting child soldiers; and using unlawful weapons such as poisonous gas and weapons that do not discriminate between combatants and civilians.

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\* Definitions drawn from the Rome Statute of the International Criminal Court



**Q. How did you choose the featured countries and situations?**

**A.** Those countries, entities, and situations depicted—Chad, Colombia, the DRC, ISIS, Nazi Germany, and North Korea—represent a cross section of crimes against humanity acknowledged by the United Nations, the ICRC, and other authoritative organizations of the global community. They demonstrate that crimes against humanity span the globe and generations, and are perpetrated by State and non-state actors under the guise of political, religious, economic, ideological, and/or nationalistic agendas.

**Q. What is the difference between crimes against humanity and genocide?**

**A.** Unlike genocide, crimes against humanity do not necessarily target a specific group. They can be committed against any civilian population and without any overall specific intent, in war or in peacetime, and include murder, enslavement, rape, torture, and other heinous crimes. Conversely, the United Nations defines genocide as acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group.

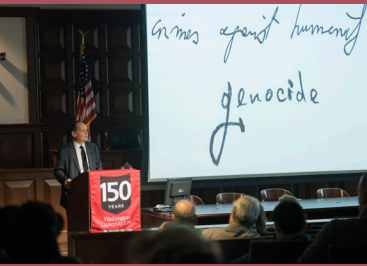
**Q. How would a convention on crimes against humanity differ from the Genocide Convention and the Rome Statute?**

**A.** Unlike genocide and war crimes, crimes against humanity have never been made the subject of their own global convention, and include a broad range of heinous acts beyond the specific definitions of genocide and war crimes. Until very recently, few States have had domestic jurisdiction over crimes against humanity, thus restricting their legal power to prevent and punish them. A crimes against humanity convention would aid extradition and domestic prosecution of these crimes, foster cooperation among States, help to build States' capacity to prosecute such crimes, and advance the goals of the Rome Statute, which established the International Criminal Court. The ICC only provides a limited vertical mechanism to investigate and prosecute such crimes, taking on very few cases. A crimes against humanity convention would greatly expand prosecution of atrocity crimes.

**Q. What techniques are available to help prevent the commission of crimes against humanity?**

**A.** Uniform and vigorous prosecution of crimes against humanity can act as a general deterrent. It can also work to incarcerate perpetrators and bring an end to their terror. The Universal Declaration of Human Rights notes that “disregard and contempt for human rights have resulted in barbarous acts.” To stop such acts requires cooperation among nations and the promotion of human rights and fundamental freedoms. Such





efforts—educational, political, diplomatic, and legal—are widespread and ongoing. The Crimes Against Humanity Initiative is but one of them. However, it is an important addition.

**Q. After the Nuremberg trials, where crimes against humanity were first prosecuted, why will it have taken seventy-five years to get the world's nations to accept legal guidelines on such crimes?**

**A.** Despite the efforts of nations after World War II to put an end to atrocity crimes through international cooperation, some 300 wars have occurred along with countless crimes against humanity. During the Cold War between the US and its allies and the USSR and its affiliates, which spanned nearly fifty years, averting nuclear war and mutual destruction dominated the international stage. This often limited intervention in conflicts and situations out of fears of fueling a nuclear holocaust. However, the demise of the Soviet Union, the atrocities of the Balkan War, the Rwandan genocide, and the establishment of the International Criminal Court helped to refocus the world's attention on crimes against humanity. It took the vision and determination of a small group of international legal experts to band together under the Crimes Against Humanity Initiative to move the needed treaty forward.

## Taking Action: What You Can Do to Help

**Make a Gift.** The Crimes Against Humanity Initiative Fund, created in 2008, has supported research, hiring staff, travel, convening meetings, producing promotional materials—including the film *Never Again*—and other activities related to the work of the Crimes Against Humanity Initiative and the Whitney R. Harris World Law Institute. To make a tax-deductible contribution to help this important work, go to the Crimes Against Humanity Initiative website, [CrimesAgainstHumanity.wustl.edu](https://CrimesAgainstHumanity.wustl.edu) and click “MAKE A GIFT.”

**Join Up.** Numerous human rights organizations monitor human rights abuses and crimes against humanity and support individuals seeking asylum. Organizations include Human Rights Watch, Amnesty International, the International Federation for Human Rights, and others. You can aid their work with your support, membership, and participation.

**Speak Up.** Contact your elected officials and appropriate appointed officials and urge them to support your government’s approval of a UN Crimes Against Humanity Convention and participation in the International Criminal Court.

**Reach Out.** Connect with local organizations, universities, and other institutions knowledgeable about crimes against humanity and global human rights abuses to find speakers for your civic, educational, or religious group.

**Engage Socially.** Many global human rights organizations have a social media presence where you can learn more about their efforts, engage with others, and help spread the word.





### Especially for Teachers

Use issues discussed in *Never Again* as the basis for classroom debate or assignment or for public fora. Here are some suggested general discussion questions:

- ▶ If you could ask anyone in *Never Again* a question, who would you ask and what would you ask them?
- ▶ Who is the one person in the film you most related to, and why?
- ▶ What did you learn from *Never Again*? What thoughts did it stimulate?
- ▶ Describe a moment or scene in the film that you found particularly disturbing, interesting, or moving. What was it about that scene that made you feel that way?

And here are some topics for more in-depth study or debate:

- ▶ *Never Again* tells us that “throughout history the status quo has been the commission of terrible crimes.” Bearing in mind the atrocities and locales depicted in the film, what measures can be taken to lessen those crimes in the future? What role can international law play in deterrence, punishment, and prevention?
- ▶ From the film we learned that since World War II, some 90 million people, mainly civilians, have died during armed conflicts, yet only 1 percent of perpetrators have been brought to justice. Why so few and what are the consequences of this impunity? Who—from heads of state to combatants to corporations to non-state actors—should be held accountable under an international crimes against humanity convention?
- ▶ More than seventy years have passed since the Nuremberg trials, in which individuals were first tried for crimes against humanity; however, no international treaty on punishing perpetrators and protecting victims has yet been agreed upon. What geopolitical and economic realities—such as lack of national capacity to prosecute serious crimes—have impeded progress?
- ▶ What purpose is served by bringing perpetrators of crimes against humanity to justice? How does it affect policy, politics, peace, and the victims? What roles do reparations, reconciliation, truth-telling and counseling play?



Named after the first US President, Washington University was founded in 1853 as immigrants arrived in St. Louis in large numbers and the need for education became apparent to the city's leaders. Since then, the University has grown from a college educating local men and women to an internationally known and highly ranked research university with thousands of students and faculty from more than 110 countries and a strong commitment to global education.

Washington University School of Law, currently celebrating its 150th year, is the 12th oldest law school in the United States, and the oldest continuously operating law school west of the Mississippi River. It is renowned for its high-achieving student body, superb faculty, cutting-edge research and its top-ranked academic programs. The Whitney R. Harris World Law Institute is the center for the study of international law at Washington University. Through a combination of education and research, the Institute contributes to the betterment of global society. The Institute was endowed by Whitney and Anna Harris in 2001 and was renamed in 2008.

In 2008, the Institute launched the Crimes Against Humanity Initiative to study the current state of the law regarding crimes against humanity and address the gap in that law by elaborating the first-ever global treaty on crimes against humanity. After a three-year long process involving consultation with more than 250 experts, the Initiative published a *Proposed Convention* which has been translated into eight languages.

At the Initiative's very first meeting in 2009, experts gathered to take a photograph at historic Ridgley Hall on the Washington University campus. This was the same room in which the 1904 Inter-Parliamentary Union Resolution was adopted that led to the convening of the 1907 Hague Peace Conference, a milestone in the development of international humanitarian law.



Delegates at the 1904 Inter-Parliamentary Union, Ridgley Hall, Washington University in St. Louis



Experts and Crimes Against Humanity Initiative Steering Committee members at the April 2009 Experts' Meeting, Ridgley Hall, Washington University in St. Louis

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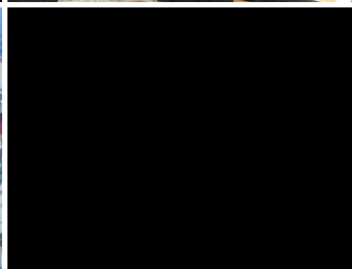
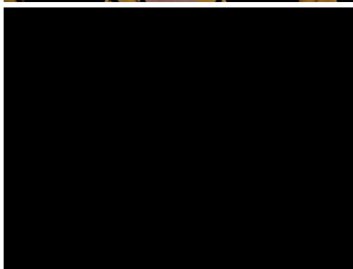
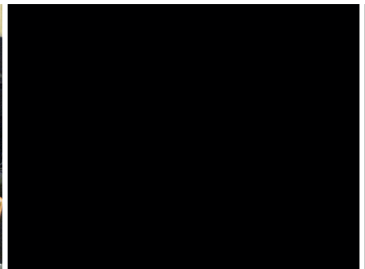
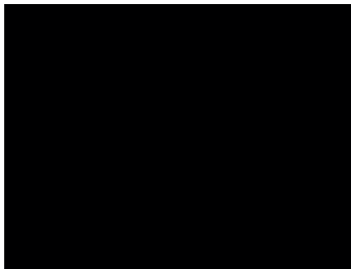
(From left) Steven Cash Nickerson and Chancellor Mark Wrighton



“This film is a story about hope, that work on a new convention on crimes against humanity will end national and international impunity for crimes of rape, torture, enslavement, and genocide against civilian populations.”

– H.E. Ambassador Nazhat Shameem Khan

Permanent Mission of the Republic of Fiji to the United Nations



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