

What are international crimes?

The most serious human rights violations are international crimes. International criminal law is grounded in treaties such as the Rome Statute of the International Criminal Court as well as customary international law (which refers to the normal and accepted practice of countries over time). International criminal law provides the framework for holding individuals to account for committing genocide, crimes against humanity, war crimes, and acts of aggression. All countries have the responsibility to uphold international criminal law and support efforts to ensure that perpetrators of international crimes are brought to justice.

Genocide

Genocide is defined by the Convention on the Prevention and Punishment of the Crime of Genocide of 1948. The Convention was adopted by the UN in response to the Holocaust, which witnessed the systematic murder of some 6 million Jews by Nazi Germany during World War II. Genocide refers to acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group. The acts of genocide can include killing or seriously harming members of the group, inflicting conditions calculated to destroy the group, preventing births in the group, and forcibly transferring children of the group to another group. The International Court of Justice stated that the prohibition of genocide is a peremptory norm of international law. This means that it is a fundamental principle of international law accepted as a norm which must be observed by all states, at all times, without exception.

At the end of World War II, numerous German Nazi leaders were tried and punished for the murders of millions of European Jews, but the specific crime of “genocide” did not exist until it was defined in 1948 by the Genocide Convention. More recently, the International Criminal Tribunal for the former Yugoslavia (ICTY) examined genocide carried out against Bosnian Muslims. The International Criminal Tribunal for Rwanda (ICTR) examined genocide carried out against that country’s ethnic Tutsi minority.

Crimes Against Humanity

Crimes against humanity generally refer to specific crimes in the context of large-scale attacks against civilians. For an act to constitute a crime against humanity, it must be committed as part of a widespread or systematic attack against a civilian population, with knowledge of the attack. The notion of crimes against humanity has evolved under customary international law and through the jurisprudence of international courts such as the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Court. Crimes against humanity have not yet been codified in a dedicated treaty of international law, unlike genocide and war crimes, although there are efforts to do so. The Rome Statute, which established the International Criminal Court, reflects the latest consensus among the international community and offers the most extensive list of specific acts that constitute crimes against humanity. Crimes against humanity include murder, extermination, enslavement, deportation or forcible transfer of populations, imprisonment, torture, various forms of sexual violence, persecution of a

group of people, enforced disappearance, the crime of apartheid, and other inhumane acts of a similar gravity.

In the context of the Democratic People's Republic of Korea (DPRK), the Commission of Inquiry on the situation of human rights in the DPRK in 2014 found that "the Government of the DPRK is engaged in a systematic and widespread attack against people considered a threat to the country's political system and leadership, including people who practice religion, introduce subversive or foreign influences, such as foreign films or music, or leave the country". There is no indication that this widespread and systematic attack has stopped.

War Crimes

War crimes are violations of international humanitarian law, also known as the laws of war. The concept of war crimes developed particularly at the end of the 19th century and beginning of the 20th century, when international humanitarian law was codified. International humanitarian law is contained in treaties, the core of which are the four Geneva Conventions of 1949 and their two additional protocols, as well as customary international law. The Geneva Conventions and customary international law establish the rules that armed groups must follow during international and non-international armed conflict, with the goal of protecting those who are not participating in the armed conflict. Important rules govern the distinction between combatants and civilians, restriction of the means and methods of warfare, the treatment of prisoners of war, and sick and wounded members of the armed forces, and the prohibition of attacks on objects that are indispensable to the survival of the civilian population.

Some examples of war crimes under the Geneva Conventions include willful killing, torture or inhuman treatment, willfully causing great suffering or serious injury, extensive destruction and taking of property (not justified by military necessity), and forcing a prisoner of war to serve in the forces of a hostile party (for example, the army that captured him or her).