

WAR CRIMES IN THE FORMER YUGOSLAVIA

At the London Conference in August 1992, Canada was one of the first countries to call for an International Tribunal to try charges of war crimes committed in the former Yugoslavia.

United Nations Security Council (UNSC) Resolution 780 requested states to collate information in their possession relating to violations of humanitarian law, to make such information available to the UN Commission of Experts (UNCOE) which had been established and "to provide other appropriate assistance". In accordance with this resolution, Canada submitted several reports to the Secretary General. Canada was the first country to make a substantial financial contribution to the voluntary fund for UNCOE.

UNCOE's mandate was to investigate grave breaches of the Geneva Conventions and other violations of international humanitarian law. Canadian defence personnel were involved in on-site investigations in the former Yugoslavia. A Canadian was one of the 5 members of UNCOE.

UNCOE completed its investigations in April 1994. Its final report was submitted by the UN Secretary General to the President of the UNSC on 27 May 1994. The report concluded that grave breaches of the Geneva Conventions and other violations of international humanitarian law had been committed in the territory of the former Yugoslavia.

On February 22, 1993, the UNSC adopted Resolution 808 which established the International Tribunal to prosecute those responsible for serious violations of international humanitarian law in the former Yugoslavia. On May 25, 1993, the UNSC adopted Resolution 827 approving the Secretary-General's report and adopting the Statute of the International Tribunal annexed to the report.

The Tribunal, as set out in the Statute, consists of 11 judges elected for a four year term. Judge Jules Deschênes, a Canadian, was elected to the Tribunal in September 1993. The Tribunal judges have organized themselves into an appellate chamber of 5 members and two trial chambers of 3 members