

Title: National Implementing Legislation Database (NILD) of the International Criminal Court (ICC) Statute

Dates: June 2006- June 2014

Location: Nottingham

Unit: International Criminal Justice

Core Staff: Dr Olympia Bekou, Dr Will Lowe, Emilie Hunter (to 2009), Annika Jones

Student Research Assistants: Mel O'Brien (2006-2007), David Krivanek (2007)
Agnes Flues (2008 onwards), Vidan Hadzi-Vidanovic (2008 onwards), Richard Hyde (2008 onwards), Derek Inman (2009)

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Project Summary:

The National Implementing Legislation Database (NILD) forms part of the International Criminal Court's *Legal Tools*, an online knowledge transfer platform developed at the ICC Office of the Prosecutor to provide the general public with free access to the most comprehensive electronic library on international criminal law and justice. Since 2006, HRLC has had sole responsibility for all components relating to National Implementing Legislation within the ICC *Legal Tools*. Through NILD, users have access to a fully-searchable, relational database of national implementing legislation.

Objectives/Purpose

The ICC *Legal Tools* have been designed to equip users with legal information, commentaries and an application to work more effectively with core international crimes cases, involving war crimes, crimes against humanity or genocide, made available through the ICC website.

The ICC *Legal Tools* represents an important knowledge transfer platform for jurisdictions outside the ICC, through which legal information pertaining to core international crimes is made available to those who need it, in a practical and cost-effective manner. The Legal Tools are developed and maintained by a number of Outsourcing Partners who form the Legal Tools Outsourcing Partners Network (LTOP)

More specifically, to date, NILD provides following core functions:

- A comprehensive and up-to-date collection of national legislation that has been adopted by States in relation to the Rome Statute (ICC Acts on Crimes and Cooperation, national criminal codes, criminal procedure codes and other relevant legislation).
- A fully-searchable relational database of all national legislation, which enables users to efficiently identify relevant provisions or sections of any, or all legislations, according to approximately 800 purposely-designed keywords, or Rome Statute articles. Smart relationships and cross-referencing among keywords allow users to easily refine searches or identify related subject matters, allowing comparative analysis as relevant to their purposes.
- 'Overviews', short analysis of the State's overall approach to implementation,

positioned together with State attributes and forming part of the general information on a particular State.

- Legal analysis of those provisions that are of particular interest either because they are wider or narrower than the relevant ICC Statute provision, or because they introduce new concepts or notable aberrations.

Beneficiaries

Legislators

NILD is an invaluable tool for national legislators who have not yet adopted, but are considering or drafting implementing legislation, enhancing their capability to draft effective legislation drawing upon previous experience of fellow State Parties. As Legislators are often under-resourced, with limited capacity to evaluate the legislative approaches of other States or assimilate the complexities of international crimes and cooperation into national law. But even where States have adopted legislation, through NILD they will be able to monitor the impact of their legislation on other States and undertake necessary amendments if the content of the Rome Statute changes, or if improvements are deemed necessary.

Implementers

NILD can be of assistance as well to legislators of States not Party considering ratification of the Statute, providing them with examples of implementing obligations and assisting them in the assessment of national capacities. Judges, Parliamentarians, police forces as well as prison authorities etc will be expected to implement such legislation but may have limited access to information that could jeopardise the rights of individuals and the admissibility of a trial

Regulators

Civil society organisations, at the national and international level, will find in NILD a useful tool providing them with easy access to comparative knowledge essential to better monitor implementation of the Rome Statute and effectively plan advocacy campaigns..

Researchers: NILD provides a one-stop-shop comparative research tool, allowing researchers unprecedented access to information which is not easily available elsewhere.

Outcomes

- Design of unique keyword list which includes approximately 800 keywords.
- Preparation of keyword codebook for correct assignation of keywords to legislation.
- Design and implementation of quality controls and working methods.
- Between 2006 and 2009, over 46 legislations have been sourced, marked and inputted.
- Attendance at the 5th Assembly of States Parties, the Hague 2006, by Dr Olympia Bekou and Emilie Hunter
- Legal Tools Meeting, Oslo, September 2007

- Legal Tools Outsourcing Partners Formational Meeting, Nottingham, November 2007
- Attendance at the 6th Assembly of States Parties, New York, 2007, by Dr Olympia Bekou and Emilie Hunter
- Legal Tools Outsourcing Partners Meeting, Marburg, May 2008 by Dr Olympia Bekou, Dr Will Lowe and Emilie Hunter
- Legal Tools Outsourcing Partners Meeting, Saarbruecken, June 2008 by Dr Will Lowe
- Presentation at the Graz Workshop on Implementation, Graz, September 2008, by Dr Olympia Bekou
- Presentations and attendance at the 7th Assembly of States Parties, the Hague, 2008, by Dr Olympia Bekou and Emilie Hunter
- Legal Tools Outsourcing Partners Meeting, the Hague, November 2008, Dr Olympia Bekou, Dr Will Lowe and Emilie Hunter

Related Activities:

ICC and the State Conference

ICC CARICOM Capacity Building Project

Towards a Successful Partnership: The ICC Legal Tools Project and the European Union

Project Team

NILD has been organised and developed through interdisciplinary collaboration of international lawyers (Dr Olympia Bekou and Emilie Hunter) and political scientists (Dr Will Lowe) with the dedicated commitment of a rotating team of postgraduate law students.