

ANNEX 2

Public

Sample for a Draft Model Chart on the Presentation of Evidence by the Parties

LEGAL ELEMENTS	REFERENCE TO EVIDENCE Type of document Source (page, paragraph and/or line)
CRIMES	
1. Crimes against Humanity	
Common (contextual) elements	
(1) Attack	Statement of witness P-001, <u>UGA-OTP-0001-0334</u> , at 46, para. 5-6
	Transcript of interview with witness P-002, <u>UGA-OTP-0003-1334</u> , at 22, line 7, to 23, line 5
	UN Report "Title" <u>UGA-OTP-3345-1122</u> , at 50, para. 12, 55, para 4, 112, para 2-5.
(2) Directed against any civilian population	
(3) Widespread or systematic	
(4) Pursuant to an organizational policy	
(5) Knowledge of the attack	

Specific constituent elements of the counts
<i>Murder Article 7(1)(a)</i>
Specific elements following the text of the Elements of Crimes
<i>Enslavement – Article 7(1)(C)</i>
Specific elements following the text of the Elements of Crimes
<i>Inhumane acts – Article 7(1)(k)</i>
Specific elements following the text of the Elements of Crimes
2. War Crimes
Common (contextual) elements
(1) Armed conflict
(2) International or non-international
(3) General requirement: i.e. awareness of the factual circumstances that establish the existence of an armed conflict
Specific constituent elements of the counts
<i>Murder – Article 8(2)(c)(i)</i>
Specific elements following the text of the Elements of Crimes
<i>Cruel treatment – Article 8(2)(c)(i)</i>

Specific elements following the text of the Elements of Crimes
<i>Intentional attack against civilians – Article 8(2)(e)(i)</i>
Specific elements following the text of the Elements of Crimes
<i>Pillaging – Article 8(2)(e)(v)</i>
Specific elements following the text of the Elements of Crimes
MODE(S) OF LIABILITY
<i>Article 25(3)(b)</i>
Orders (...) the commission of such crime