

Legal Action Group (GAJ)

- FIDH and the GAJ provide support to victims of grave crimes committed in DRC to participate in proceedings before the ICC at the investigative stage. Victims can thus exercise their right to present their views and concerns, can request specific measures and submit information.
- FIDH and its member organisations also submit “**communications**” to the ICC Office of the Prosecutor. These contain reports and other public or confidential documents on crimes within the jurisdiction of the ICC. FIDH thereby contributes to the analyses and investigations conducted by the Office of the Prosecutor. FIDH and its member organisations have submitted communications on international crimes, in particular those committed in CAR, DRC, Colombia and the Palestinian Territory.
- In order to facilitate understanding of ICC proceedings, FIDH has published a **Guide on Victims’ Rights before the International Criminal Court**, available in several languages on the FIDH website.

The Extraordinary Chambers in the Courts of Cambodia (ECCC)

FIDH contributed to the establishment of **the ECCC**, responsible for trying former leaders of the Khmer Rouge regime for crimes committed between 1975 and 1979, which caused the death of nearly three million people. FIDH has worked for the recognition of victims’ rights in ECCC proceedings, in particular their right to participate as civil parties. The GAJ represents several victims before the Extraordinary Chambers.

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Founded in 1922, the International Federation for Human Rights (FIDH) brings together 155 national human rights NGOs in more than 100 countries.

FIDH works for the respect of all rights enshrined in the Universal Declaration of Human Rights – civil, political, economic, social and cultural rights.

FIDH aims to offer protection to victims of human rights violations, to contribute to preventing violations and to bringing perpetrators to justice.

The FIDH **Legal Action Group (GAJ)**, a network of magistrates, lawyers and academics, works to ensure that victims have access to justice, that their rights are respected and that they receive reparation.



“The FIDH GAJ provides legal assistance, advice, representation and support to victims”

Legal Action Group (GAJ)

WHAT IS THE GAJ?

The **fight against impunity** is one of FIDH's priorities for action. FIDH, through its Legal Action Group (GAJ), provides support to victims of torture, crimes against humanity, war crimes and genocide, throughout legal proceedings before national and international tribunals, including the International Criminal Court (ICC), in order to implement their rights to truth, justice and reparation.

The FIDH GAJ, a network of magistrates, lawyers and academics, with the support of the International Justice Desk at the FIDH International Secretariat, works to ensure that victims have access to justice, that their rights are respected and that they receive reparation. FIDH provides legal assistance to victims to initiate and participate in national proceedings, as well as to take part in proceedings at the Extraordinary Chambers in the Courts of Cambodia (ECCC) and before the ICC.

The GAJ mandate:

- **To provide support to victims:** the GAJ provides legal assistance, advice, representation and support to victims of grave human rights violations in legal actions against the alleged perpetrators. Where necessary, assistance also includes material and psychological support.
- **To gather legal and factual elements** required to initiate and contribute to judicial proceedings to ensure the investigation, prosecution and sanction of perpetrators of international crimes, including the preparation and submission of *amici curiae*, before national, regional and international tribunals.

- **To initiate legal actions before national and international tribunals:** in order to contribute to strengthening victims' access to justice and to hold perpetrators of human rights violations accountable, the GAJ initiates legal actions at national level, implementing the principle of universal or extra-territorial jurisdiction, and at international level.

THE GAJ AT THE NATIONAL LEVEL

When victims of international crimes cannot obtain justice and reparation in the country where the crimes were committed, the FIDH GAJ supports them to initiate and participate in proceedings before other national tribunals, on the basis of **universal or extra-territorial** jurisdiction. This mechanism allows national justice systems to investigate and prosecute cases of grave crimes which have been committed abroad, by a foreigner, against a foreigner and without the interests of the investigating state being directly affected.

FIDH is currently involved in **approximately twenty such proceedings** before national tribunals, supporting victims and, where legally possible, participating as civil party.

- For example, FIDH enabled victims from Mauritania to contribute to the conviction of **Captain Ely Ould Dah**, before the Nîmes Criminal Court (France) on 1st of July 2005. Ely Ould Dah was sentenced to ten years imprisonment for crimes of torture. This was the first trial initiated in France on the basis of the principle of universal jurisdiction

for crimes of torture. The GAJ continues to provide legal support to victims in these proceedings to implement orders for reparations.

- FIDH contributed to the conviction of **Khaled Ben Saïd**, former vice consul of Tunisia in Strasbourg, before the Bas Rhin Criminal Court (France) on 15 December 2008. He was sentenced to eight years in prison for having ordered the torture of a Tunisian woman in a Tunisian police station.
- FIDH also provides support to victims from Chad in proceedings in Senegal against the former Chadian dictator, **Hissène Habré**, living in this country.

THE GAJ AT THE INTERNATIONAL LEVEL

The International Criminal Court (ICC)

Established in 1998 and operational since July 2002, when the Rome Statute came into force, the ICC has four ongoing investigations: in Democratic Republic of Congo (DRC), Uganda, Darfur (Sudan) and Central African Republic (CAR). Cases have been brought against alleged perpetrators of international crimes in each of the four situations under investigation. The first trial opened in January 2009.

For the first time in the history of international criminal justice, the rights of victims to participate in proceedings and to receive reparations are recognised before the ICC.