Text for Website

# HOME PAGE

**OPPORTUNITIES FOR JUSTICE**

If you or your family members have suffered certain kinds of human rights abuses, you may be able to pursue justice in legal or other ways. Many processes exist around the world and in Canada to address violations of human rights but it can be very difficult to learn what opportunities for justice exist. This website can help you learn more.

**Assess Your Options**

Our assessment tool will take you through a series of questions about the acts committed against you or your family, and suggest possible tribunals, international bodies or Canadian processes that might be available to address them.

**Descriptions**

Learn about different bodies that address human rights abuses by reading short descriptions of international courts, United Nations committees, regional human rights commissions and Canadian processes.

**Stories**

CCIJ has helped survivors and families pursue justice through many different processes. Read, hear and watch their stories to learn about their experiences and the successes and challenges they have faced in seeking justice.

# ASSESS

## DISCLAIMER

Please note that **this site provides only information, not legal advice**. A legal case cannot be based on the results of this questionnaire, as every case and every legal process is unique and complex. This website is designed to help you understand what options might be available and is not designed to make a final conclusion about your case.

After completing the questionnaire, if you are interested in pursuing justice, we encourage you to contact CCIJ

(hyperlink to: <http://ccij.ca/about/contact/index.php>). If your case requires legal advice or you wish to speak to a lawyer, CCIJ may be able to help connect you to a lawyer.

At the end of the questionnaire you will be given the opportunity to email the results of this questionnaire to CCIJ or to email it to yourself or print it for your own records. This information is not being stored and CCIJ will only have a record of it if you email your results to CCIJ. CCIJ will keep your email address and results confidential. Emailing your results to CCIJ does not mean that you have started a legal case.

If you are on a public computer, please remember to close your internet program or web browser after you are finished with this website.

This website does not assess all acts that might be considered human rights abuses and is limited to acts that are considered by international law to be the most severe violations. Generally, this website only assesses acts that might constitute torture, war crimes, crimes against humanity, genocide, extrajudicial killing and forced disappearance. This website is not designed to address other abuses, for example free speech issues, labour rights or environmental issues.

When answering the questions, please make your best guess about the answer. Some questions allow you to answer “unknown” if you do not know the answer.

## Question 1

In what country did the abuse(s) occur?

*Why this question?*

Most tribunals and justice processes only have authority over abuses that occur in some countries but not others. For example, the United Nations Committee Against Torture can only examine possible cases of torture when the country responsible has agree that the Committee can examine cases involving that country.

## Question 2a

[note: this is a change to the wording of the question] Did people who are citizensof any other country participate in the abuse(s)?

*Why this question?*

Some tribunals and justice processes only have authority over abuses committed by people who are citizens of certain countries. For example, citizens of countries that agreed to the treaty of the International Criminal Courtcan be prosecuted by the Court, even if the crimes occurred in a different country.

* Note: Move the “Why this question” box from 2b to 2a.

## Question 2b

[note: this is a change to the wording of the question] What citizenship did they have?

## Question 3

What is the date on which the abuse(s) happened? (If the abuses included detention or torture, when did the detention or torture end?)

*Why this question?*

The authority of some tribunals or justice processes is restricted to abuses committed before or after certain dates. Often, this is the date when a country agreed to a particular treaty. For example, the International Criminal Court can only investigate abuses that occurred after July 1, 2002, when the Court’s treaty came into force. Also, some tribunals and justice processes require survivors or families to file their cases within a certain amount of time after the abuses occurred. This is known as “prescription” or a “limitations period.”

## Question 4

At the time of the abuse(s), what country was the victim a citizen of?

*Why this question?*

This question is often important in criminal proceedings, and some national courts have authority to hear cases involving crimes committed against their citizens abroad. For example, the government of Canada has the power to criminally prosecute people who commit certain crimes against Canadian citizens even if they occur outside Canada.

* I’m not sure of an example of this one. Canadian legal process?

**Questions 5a and 5b – fine as they are**

## Question 6

Describe the abuse(s) committed against the victim

Notes

* add period at end of question
* add colon rather than period to end of “options”

*Why this question?*

Different tribunals and justice processes have authority over different kinds of human rights abuses. Some, like the United Nations Human Rights Committee, can consider a wide range of abuses. Others, like the Committee Against Torture, can consider a smaller set of abuses. Selecting the relevant acts on this list will provide the information necessary to determine which abuses might have been committed and therefore which tribunals and justice processes might be available.

## Question 7

Did the abuse(s) take place during a war?

*Why this question?*

Some tribunals have authority over crimes that occur as a part of an international or civil war. These are known as “war crimes.” Other tribunals have authority over crimes that did not happen during a war. For example, the International Criminal Court may be able to prosecute the murder of a civilian as a “war crime” if soldiers committed that murder during a war.

## Question 8

Were these kinds of abuses committed against many other people in the country at that time?

*Why this question?*

Some tribunals have authority over crimes that are widespread or systematic in nature. These are known as “crimes against humanity.” For example, the International Criminal Court can prosecute murder as a “crime against humanity” if that murder was part of widespread violence against civilians.

## Question 9

Was the victim targeted because of her/his race, ethnicity, religion or nationality?

*Why this question?*

Some tribunals have authority over the crime of genocide, which refers to certain acts that are committed with the intention to destroy a particular group. For example, the International Criminal Court may be able to prosecute the killing or forced displacement of people of a particular religion or race.

## Question 10

Who committed the abuse(s)?

*Why this question?*

The authority of some tribunals and justice processes is limited to acts committed by government officials and does not extend to crimes committed by civilians. For example, “torture” is a human rights abuse that usually requires government involvement. If someone is beaten but there is no government involvement then it usually is not considered “torture” and falls outside the authority of international justice processes.

## Question 11

Are any of the people responsible for the abuse(s) currently living in Canada?

*Why this question?*

Certain legal processes in Canada are possible when the person responsible for abuses is living in Canada. For example, the Canadian government may be able to criminally prosecute, deport or revoke the citizenship of someone living in Canada who might have been involved in human rights abuses.

## Question 12

Do any of the people responsible for the abuse(s) ever visit Canada?

*Why this question?*

Canada has the authority to pursue justice against people who committed certain abuses in other countries. When such a person visits Canada or tries to visit Canada, it may be possible for the Canadian government to take action, most likely through immigration penalties like deportation or denial of a visa.

## Question 13 – no change (but see note)

Do any of the people responsible for the abuse(s) ever travel outside the country where the abuse(s) happened?

*Why this question?*

Many countries around the world have the authority to prosecute people present in their territory who committed certain abuses, no matter where the abuses happened. Although analysis of this option is too complicated for this website, the answer to this question could be useful to CCIJ if you decide to contact us about your justice options.

## Question 14a – use same “Why this question” for 14a,b,c

[note: this is a change to the wording of the question] In your opinion, in the country where the abuse(s) occurred, are the courts fair and independent, such that justice can be achieved there?

***Why this question?***

Many tribunals and justice processes assume that governments have the primary responsibility to investigate and punish abuses in the place where they happened. For this reason, their authority may be limited to situations in which the responsible government is unwilling or unable to take action or the courts are not fair and independent.

## Question 14b

Did the victim or the victim's family try to bring a case or a complaint before the courts, the police or other authorities in the country where the abuses occurred?

***Why this question?***

If the survivor or victim’s family has tried to bring a case in the country where the abuses occurred but that case failed for certain reasons, this might make it more likely that an international justice process might look into the case.

## Question 14c – use “Why this question” from 14b

What was the result?

## Question 15

Has the victim or the victim's family submitted a complaint to any other international court or body?

*Why this question?*

Some tribunals and justice processes want to avoid duplicating the work of other justice processes. As a result, many will decline to accept a case if another tribunal or justice process is already reviewing the case.

CHECK YOUR OPTIONS page

* Change the name of this page by adding “possible” to make it “Check Your Possible Options”
* Move the “next steps” tab to the end, i.e. make “available” the first tab and “unavailable” the second tab
* For the “available” tab:
  + After the “Based on…” sentence, add “However, these results should be reviewed by CCIJ, another human rights organization or a lawyer.” Then add the language from the disclaimer above, “Please note that this site provides only information, not legal advice. A legal case cannot be based on the results of this questionnaire, as every case and every legal process is extremely unique and complex. This website is designed to help you understand what options might be available and is not designed to make a final conclusion about your case.”
* For the “unavailable” tab:
  + After the “Based on…” sentence, add “However, these results should be reviewed by CCIJ, another human rights organization or a lawyer.” Then add the language from the disclaimer above, “Please note that this site provides only information, not legal advice. A legal case cannot be based on the results of this questionnaire, as every case and every legal process is extremely unique and complex. This website is designed to help you understand what options might be available and is not designed to make a final conclusion about your case.”
* For the “next steps” tab:
  + Delete “CCIJ lawyer” – so just make it “…contact CCIJ…” (never say “CCIJ lawyer” anywhere on the site)
* On the Email screen, change the wording to “Also send my results and email address to CCIJ. (I understand that CCIJ will keep my email address and results confidential, and that submitting my results to CCIJ does not mean I am starting a legal case.”
  + Can we take out the @ graphic on the email screen? It just might confuse people thinking that they only need to type in the second half of their email address
* Tom, on this Check Your Possible Options page, is it possible that if someone clicks on a mechanism for more information that it opens as a pop-up rather than as a new tab next to “available,” “unavailable,” and “next steps”?

**HIDDEN TEXT**

If you open the available mechanisms window (or it is automatically opened once all questions are answered) and there are 0 mechanisms available you will see a special message. (note: This workflow is not possible with the tool's current configuration as not all mechanisms have their rules implemented.)

**No Available Options**

Based on the questions you have answered, it is possible there may not be any suitable options available. However, this questionnaire cannot provide a conclusive answer, since individual cases can be complex. If you want to explore other options, we recommend that you contact CCIJ.

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**Other Notes for Tom**

- ECCC – Should be “The Extraordinary Chambers in the Courts of Cambodia”

- In the contact information in the footer, please change the email address from “info@ccij.ca” to “meisenbrandt@ccij.ca”

- Can the tabs for questions 2a, 5a, 14a, 14b just turn gray instead of green?

- For the \* explanation on European Court of Human Rights, can we add in a “may”? In other words, make it “…you may only have 6 months…”