

INTERNATIONAL COURT OF JUSTICE



**Arrest Warrant of 11 April 2000  
(DR Congo vs. Belgium)**

**EVIDENCE PACKET OF  
DR Congo**

**SUBMITTED BY ADVOCATES:**



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## Evidence 1: Rwandan ID Card

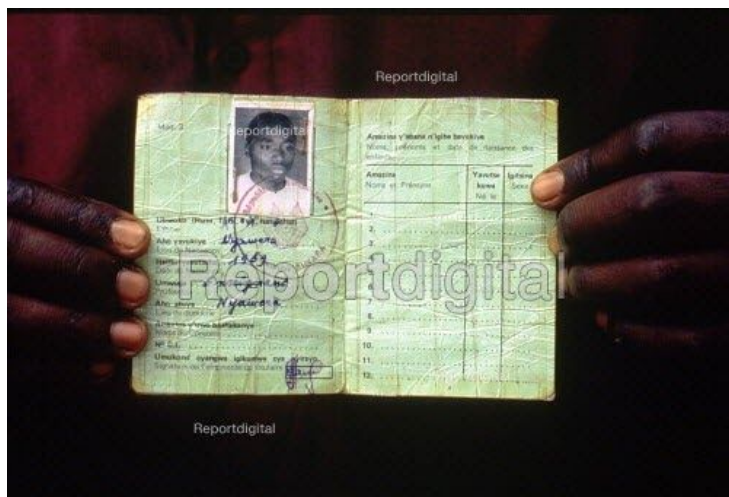
Title: Rwandan ID Card introduced by Belgium in the 1930's caused separation between the Tutsi and Hutu.

Author: Howard Davies

Medium: Photograph

Date: 1994

Source: <https://www.reportdigital.co.uk/stock-photo-rwandan-refugee-with-id-card-showing-ethni-city-the-cards-were-used-by-photojournalism-image00090302.html>



## Evidence 2: Hutus and Tutsis

Title: Hutus and Tutsis

Author: Caitlin Jean

Medium: Website

Date: 30 June 1988

Source: <https://www.timetoast.com/timelines/hutus-and-tutsis-timeline>

After World War I, Belgium was given control over Rwanda. The Belgians increased the divide between the Hutus and Tutsis through the use of the eugenics, which was rather popular at the time (i.e. Nazi Germany). Skull measurements showing larger brain size, greater height, and lighter skin tones all reaffirmed the Tutsis' superiority over the Hutus, by providing proof of their apparent greater purity and closer ancestry to Europeans.

## **Evidence 3: Vienna Convention on Diplomatic Relations**

Title: Vienna Convention on Diplomatic Relations

Author: United Nations

Medium: PDF

Date: May 1, 1975

Source: [http://legal.un.org/ilc/texts/instruments/english/conventions/9\\_1\\_1961.pdf](http://legal.un.org/ilc/texts/instruments/english/conventions/9_1_1961.pdf)

### *Article 29*

The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.

### *Article 31*

1. A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State.

## **Evidence 4: UN Principle of Sovereignty**

Title: The Principle of the sovereign equality of all members of the UN

Author: United Nations

Medium: Website

Date: 22 November 1994

Source: <http://www.hrweb.org/legal/unchartr.html>

### **Article 2**

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.

## **Evidence 5: ICJ Minister of Foreign Affairs Ruling**

Title: ICJ ruled that a Minister for Foreign Affairs enjoys complete immunity from criminal jurisdiction

Author: Caroline I. Fomet

Medium: PDF

Date: 16 July 1995

Source: <https://lra.le.ac.uk/bitstream/2381/31081/1/U169491.pdf>

accordingly concludes that the functions of a Minister for Foreign Affairs are such that, throughout the duration of his or her office, he or she when abroad enjoys full immunity from criminal jurisdiction and inviolability. That immunity and that inviolability protect the individual concerned against any act of authority of another State which would hinder him or her in the performance of his or her duties.<sup>12</sup>

## **Evidence 6: Diplomatic Immunity**

Title: Diplomatic Immunities

Author: Sangeetha Mugunthan

Medium: Website

Date: 15 January 1997

Source: <http://www.legalserviceindia.com/articles/dhuman.htm>

### **Diplomatic Immunities - Personal**

The person of a diplomatic agent is inviolable under Article 29 of the Vienna Convention and he may not be detained or arrested. This principle is the most fundamental rule of diplomatic law and is the oldest established rule of diplomatic law. States recognise that the protection of diplomats is a mutual interest founded on functional requirements of reciprocity. The receiving State is under an obligation to take all appropriate steps to prevent any attack on the person, freedom or dignity of diplomatic agents.