





Network for investigation and
prosecution of genocide, crimes
against humanity and war crimes






Overview of National Jurisprudence


January 2023


On a periodic basis, the Genocide Network, in its effort to raise awareness on accountability and the fight against impunity, gathers and translates judicial decisions of national jurisdictions of EU Member States regarding cases of core international crimes. The current selection of national judicial decisions is predominantly focused on the crimes committed in Syria and Northern Iraq, use of open sources and evidence from social media, as well as cumulative prosecution of foreign terrorist fighters (FTFs) for terrorism-related offences and war crimes. By fighting impunity for core international crimes, EU Member States reiterate their commitment to ensuring that the European Union will not become a safe haven for perpetrators of heinous crimes. Please note that translation has been provided from the original language into English as a courtesy of the Genocide Network Secretariat and Eurojust, and is not the official translation of the decisions. The judicial decisions are publicly available in their respective jurisdictions and have been anonymised by the Genocide Network Secretariat.



	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
	Sweden	Case number B 15255-19, 14 July 2022	Judgement issued by District Court (First Instance Court)	Iran	From 30/07/1998 to 16/08/1988 and From 27/08/1988 to 07/09/1988	Crimes against international law (war crimes) and murder.	The defendant, a 61-year-old Iranian citizen, was arrested when he came to Sweden in a private matter in November 2019. As the assistant to the deputy prosecutor at the Gohardasht prison in the city of Karaj, Iran, he was convicted of (i) war crimes for the mass execution of imprisoned Mujahedin's sympathisers (July/August 1988), who according to the Court took part in an international armed conflict between Iran and Iraq, and (ii) murder for the mass execution of left-wing sympathisers (August/September 1988). He was sentenced to life imprisonment. An appeal hearing will take place in early 2023.
	The Netherlands	Case number 2200550317v, 8 June 2022 (first instance decision in this case accessible here).	Judgement issued by Court of Appeal	Ethiopia	1 February 1978 – 31 December 1981	War crimes (deprivation of liberty and inhuman treatment, torture, and killings)	The defendant, a 67 year old Ethiopian national who lived in the Netherlands, was sentenced to life imprisonment for war crimes committed during the Derg's "Red Terror" regime during the 1970s. The defendant was the regime representative in Gojjam province in 1978, during a non-international armed conflict with opposition forces. With the knowledge and participation of the defendant, several hundred victims were arrested without just cause and detained


	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
							arbitrarily under inhuman conditions. The vast majority was sentenced to prison without any trial or due process, and some received the death penalty, which was executed at the defendant's direction in a brutal manner.
	The Netherlands	Case number 09/748011-12, 14 April 2022	Judgement issued by District Court (First Instance Court)	Afghanistan	Between 1983 and 1987	War crimes (arbitrary detention, cruel and inhuman treatment, and outrage upon personal dignity)	The defendant, an Afghan national who was in charge of a section of the Pul-e-Charkhi prison where political prisoners were held in the 1980s, was living in the Netherlands under a false name. The court established that there was a non-international armed conflict going on in Afghanistan of which the defendant was aware and which played a vital role in the defendant's ability to commit the crimes. The court found the defendant guilty of co-perpetrating humiliating, degrading, cruel and inhumane treatment (due to the detention conditions) and of arbitrary detention of political prisoners in the prison facility. The defendant was also held liable for deliberately allowing subordinates to do the same, as he exercised effective authority and control over block commanders, guards and others. The defendant was sentenced to 12 years imprisonment.



	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
	Sweden	Case number B 20218-20, 4 March 2022	Judgement issued by District Court (First Instance Court)	Syria	Between 2013 and 2016	War crimes (recruitment of a child soldier)	The defendant, a Swedish national, married and mother of 6 children, travelled with them to Syria in April 2013. The court found the defendant guilty of complicity in war crimes, namely, for failing (in her capacity as legal guardian) to prevent her son (then aged 12 to 15 years old) from being recruited and used as a child soldier in hostilities by IS in the armed conflict taking place in Syria. The child died during a mission in August 2013. The Court assessed that the defendant chose to place herself and her children in an extraordinarily dangerous situation where, based on her knowledge of the situation and relevant Islamist groups, she must have been aware that she would be unable to prevent the recruitment and use of her son as a child soldier. This was in line with her beliefs and thus not something to which she objected. The court sentenced the defendant to 6 years' imprisonment.
	France	Case number 19-87.367, 7 September 2021	Decision issued by the Criminal Chamber of the High Court (<i>Cour de Cassation</i>)	Syria	Between 2012 and 2015	Financing of terrorist activities, complicity in crimes against humanity, and endangering the lives of others.	Between 2012 and 2015, Lafarge, a company incorporated under French law, and its subsidiary, Lafarge Cement Syria, operated a cement plant in a region of Syria occupied by various armed groups, including ISIS. The subsidiary made payments to these armed groups so that the


	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
							activity would not be compromised. In 2018, Lafarge was indicted on the charges of complicity in crimes against humanity, financing of terrorist activities and endangering the lives of others. Lafarge filed a motion to quash the indictment. The High Court found that Lafarge financed, via its subsidiaries, ISIS activities to the tune of several million dollars, and that it had precise knowledge of the actions of the organisation, which were likely to constitute crimes against humanity. Knowingly paying these sums to an organisation whose purpose is purely criminal is sufficient to be considered complicity by aiding and abetting.
	The Netherlands	Case number 09/748001-18, 16 July 2021	Decision issued by District Court (First Instance Court)	Syria	01/06/2012 to 31/10/2013	War crime (killing of a person placed <i>hors de combat</i>)	The accused, a Syrian national residing in The Netherlands, was sentenced to 20 years of imprisonment for the war crime of killing. He took part in the execution of a captured Syrian military officer – a protected person under international humanitarian law. The investigators found several Youtube videos of the execution and another video during a house search. The accused was clearly visible on a video, taking a leading role and shooting



	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
							several times at the prisoner. However, he was acquitted of the charge of membership in a terrorist organisation. The Court found there was insufficient evidence to conclude that the accused's battalion was affiliated with Jabhat al-Nusra.
	The Netherlands	Case number 09/748012-19 and 09/748012-19-P, 29 June 2021	Decision issued by District Court (First Instance Court)	The Netherlands	01/2019 to 10/2019	War crime against persons (outrage upon personal dignity); publicly inciting to commit terrorist offences and war crimes; participation in a terrorist organisation and in an organisation whose object is to commit war crimes	The accused was found guilty of terrorist offences as well as the war crime of outrage upon personal dignity for spreading ISIS ideology through Telegram groups. The accused distributed a video showing ISIS prisoners being burned alive, adding her own dehumanizing comments. In doing so, she acted in line with the strategy of ISIS as a ' <i>media mujahedin</i> ' and furthered the outrage upon the personal dignity of the victims while the conflict was still ongoing in Syria and Iraq. This represents a nexus between the behaviour of the accused and the conflict. The accused was sentenced to 6 years' imprisonment and the Court imposed a hospital order for compulsory psychiatric treatment.


	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
	The Netherlands	Case number 20/3145, 30 April 2021	Decision issued by the Extradition Chamber of the District Court	Rwanda	08/04/1994	Genocide, crimes against humanity (murder, extermination) and war crimes.	In 2015, Rwandan authorities requested the extradition of a suspect allegedly involved in the genocide against Tutsi in Rwanda. The suspect argued that extradition should be declared inadmissible due to the risk of violation of Article 6 of the European Convention on Human Rights (right to a fair trial). On the basis of monitoring reports of the organisation ICJ Kenya in cases of persons previously extradited to Rwanda, the Court concluded that the defence did not sufficiently substantiate in which way the general human rights situation in Rwanda would lead, in this specific case, to an imminent flagrant violation of Article 6 of the ECHR. Further, the Court found that the existence of politically motivated prosecution is not substantiated. Finally, The Court found that legal remedy would be available to the suspect (appeal). Therefore, the Court declared the extradition admissible for the purpose of criminal prosecution in respect of 6 counts (out of 7 in the extradition request).
	Germany	Case number III-7 Sts 2/20, 21 April 2021	Decision issued by Higher Regional Court	Syria	02/2015 to 02/2019	Participation in a terrorist organisation; war	The accused, a German national, travelled with her 3-year old daughter to Syria in order to join



	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
						crimes against property; aiding and abetting a crime against humanity (enslavement); breach of duty of care in respect of a person under 16 years of age; exercise of actual power over a weapon of war.	IS. She became the spouse of a IS fighter, and was provided, free of charge, two dwellings appropriated by IS as spoils of war. In Syria, she often received the visit of another spouse, accompanied by an enslaved Yazidi woman who carried housework or childcare tasks for the accused. The accused knew that the Yazidi woman had been captured by IS and was being kept against her will. The Court sentenced the accused to 4 years and 3 months of imprisonment.
	The Netherlands	Case number 09/748011-19, 21 April 2021	Decision issued by District Court (First Instance Court)	Syria	01/03/2015 to 10/11/2015	War crime against persons (outrage upon personal dignity); participation in a terrorist organisation.	The Court sentenced the accused, a Syrian national who had applied for asylum in The Netherlands, to 6 years' imprisonment for the war crime of outrage upon personal dignity and participation in a terrorist organisation. While in Syria, the accused was involved with Ahrar al-Sham, a jihadist-Salafist armed group. He appeared in videos where him and others kicked, spat on and treated in a degrading or humiliating manner the bodies of deceased opponents. The videos were published on Youtube, which allowed a wider audience and further contributed to the humiliation and dishonour of the victims. The Court further found that Ahrar al-Sham




	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
							qualifies as a terrorist organisation, despite not being included on the European or national terrorism sanctions list.
	Germany	Case number 3 StR 564/19, 28 January 2021	Federal Court of Justice	Afghanistan	End of 2013 and first quarter of 2014	War crimes against persons (torture and outrage upon personal dignity).	In the context of the non-international armed conflict occurring in Afghanistan at the time, the accused, a former lieutenant in the Afghan army, questioned a prisoner using violence and presented the body of a wanted Taliban commander as a trophy, in a degrading manner. The Federal Court found that in accordance with customary international law, there is no general functional immunity (<i>ratione materiae</i>) of lower-ranking officials, particularly soldiers, of other States which would preclude national criminal prosecution for war crimes.
	The Netherlands	Case number 2200392619, 26 January 2021 (previous decision in this case accessible here)	Appeal Judgement, Court of Appeal of The Hague	Syria	24/10/2014 to 03/09/2016	War crime against persons (outrage upon personal dignity); participation in a terrorist organisation.	The Court of Appeal sentenced the accused, a Dutch national, to 7 years' imprisonment for participation to a terrorist organisation (IS), and war crime of outrage upon personal dignity. While in Syria, the accused posed next to a man dressed in orange overalls who had been executed by IS and tied to a cross. In the photo, later posted by the accused on



	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
							Facebook, he appeared to be proud and actively posing. The court found that by posing next to the body and sharing the photo on Facebook, the accused contributed to the further deepening of the humiliation and degradation of the deceased person (person placed <i>hors de combat</i>). According to the court, he therefore expressed the sentiment that the deceased's body should be viewed as a trophy and ensured that a large number of people would see the photograph, thus further continuing the outrage.
	Germany	Case number 3 St 1/20, 2 October 2020	Decision issued by Higher Regional Court	Syria	Between 2015 and 2016	Membership in a foreign terrorist organisation; crime against humanity (enslavement); deprivation of liberty; violation of the duty of care and education; exercising actual control over weapons of war.	In January 2015, the defendant travelled from Germany with her three children, to Turkey, and from there, accompanied by her husband, to Raqqa in Syria, at the time under the control of IS. The defendant was "loaned" a Yazidi girl enslaved by an acquaintance from the Hisba religious police. The court found that the defendant acted as an accessory to the offence (enslavement as a crime against humanity, as well as deprivation of liberty) by having the Yazidi girl in her home for several hours in order to ensure she did not flee. She was well aware that the Yazidi girl was enslaved. However she did not exploit the girl's labour for her own purposes. The defendant was



	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
							sentenced to 3 years and 6 months' imprisonment.
	Germany	Case number 7 StS 4/19, 29 April 2020 (previous decision in this case accessible here)	Decision issued by Higher Regional Court	Syria	10/2015 to 04/04/2019	War crime against persons (enlisting a child under the age of 15 into an armed group), participation in a foreign terrorist organisation, child abduction resulting in death, violating a duty of care or education, exercising actual control over a weapon of war	The accused left Germany for Syria in order to join IS, and brought her 3 children without the agreement of their father. She was convicted, <i>inter alia</i> , for: (i) participating in a foreign terrorist organisation, (ii) abducting her children and exposing them to mortal danger, which resulted in the death of her son during an airstrike on their home, and (iii) war crimes against persons for enlisting her son under the age of 15 into a training camp which constituted an armed unit within the armed group IS. The Court recalled that enlisting child soldiers is an independent offence (<i>i.e.</i> from coercion or deployment) and that admission into an active armed combat unit is not necessary – admission for the purpose of training suffices to constitute the offence. The accused was sentenced to a total of 5 years and 3 months of imprisonment.
	Germany	Case number III 2 StS 2/19, 4 December 2019 (previous decision in this case accessible here)	Decision issued by Higher Regional Court	Syria and Iraq	09/2015 to 12/2015	War crime against property, participation in a foreign terrorist organisation	The accused was found guilty of participation in a foreign terrorist organisation and war crime against property. She married an IS fighter online and travelled from Germany to Syria, and then Iraq, to join IS. In Iraq,



	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
							the family knowingly took possession of a house which previously belonged to a family of Shiite military personnel who had fled or been displaced by IS troops. The Court found that the accused condoned the forced displacement of Shiites and that the appropriation of the house, which was designed to permanently deprive the rightful owners of their property, had a functional connection with the non-international armed conflict in Iraq.
	Belgium	Case number FD30-98.102/02, 20 December 2019	Decision issued by Criminal Court (<i>Cour d'assises</i>)	Rwanda	06/04/1994 to 14/07/1994	Genocide, war crimes against persons (wilful killings)	The accused, a Rwandan national, was found guilty of the crime of genocide and war crimes for the wilful killing (and attempted killing) of civilians belonging to the Tutsi ethnic group. The accused ran his own militia, publicly supported anti-Tutsi propaganda, and knowingly enabled executions by handing over victims or reporting the location of victims to soldiers, such that, without his assistance, these crimes could not have been committed. The judgment further outlines evidence proving the accused's genocidal intent. The Court handed down a sentence of 25 years imprisonment.


	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
	Sweden	Case number B-5948-17, 13 November 2019	Final decision issued by the Supreme Court	Sweden	12/10/2014 to 26/03/2016	Public appeals and recruitment for financing terrorist activities; incitation to commit particularly serious crimes	In the context of the non-international armed conflict in Syria, an individual was convicted and sentenced to 6 months' imprisonment for publicly appealing and requesting funds or properties to support terrorist activities of ISIL and other groups, through several Facebook posts. It was held as an incentive to commit particularly serious crimes, as the purpose was specifically to buy weapons to avenge a chemical attack against civilians.
	Germany	Case number AK 56/19, 17 October 2019	Decision on remand detention issued by Federal Supreme Court	Syria	10/2015 to 04/04/2019	Participation in a foreign terrorist organisation; war crimes against persons with aggravated abduction of minors resulting in death; neglect of the duty of care and education; bodily harm	The accused left Germany for Syria with her 3 sons without the agreement of the other parent. She was charged with participating in a foreign terrorist organisation, and war crimes against persons for abducting minors leading to the death of 1, and integrating her son under the age of 15 into an armed group – an IS training camp for him to learn how to handle weapons.




	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
	Germany	Case number AK 47/19, 5 September 2019	Decision on remand detention issued by Federal Supreme Court	Syria	29/04/2011 to 07/2012	Crimes against humanity; bodily harm	The defendant, a colonel in charge of the 'investigations' unit of Branch 251 of the Syrian General Intelligence Directorate, was charged with committing crimes against humanity and acts of bodily harm. Under his leadership and responsibility, individuals were ruthlessly tortured as part of a systematic attack on the Syrian civilian population, by causing them considerable physical and psychological harm in the prison managed by the Branch.
	Netherlands	Case number 09/748003-18V, 23 July 2019	Decision issued by District Court (First Instance Court)	Syria	24/10/2014 to 03/09/2016	War crime against persons (outrage upon personal dignity); participation in a terrorist organisation	A Dutch national and former ISIL fighter was found guilty of participating in a terrorist organisation, and of committing the war crime of outrage upon personal dignity, for which he was sentenced to 7 years and 6 months in prison. He posted and distributed a picture of himself laughing next to a dead and crucified Iraqi on Facebook, amounting to violating an <i>hors de combat</i> person's dignity.
	Germany	Case number 5-2 StE 11/18, 5 July 2019	Decision issued by Higher Regional Court	Syria and Iraq	Between 2013 and 2017	War crime against property; membership in a foreign terrorist organisation; exercising actual control over weapons of war.	The accused, a German national, left Berlin for Syria in December 2013 and married on the day of her arrival to an unknown senior fighter of IS. By January 2014 at the latest, she too had joined IS. Until she escaped to Iraq in August 2017 due to the escalating conflict, she lived in accommodations that IS made



	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
							available to her and her husband in different places in Syria and Iraq. She knew that IS seized houses and flats whose inhabitants had fled the organisation, and provided the spoils of war to members of IS rent-free for them to use. In addition to caring for the two children born during their stay and the management of the common household, she was active in propagandistic activities. She ran two public internet blogs and participated in several public executions. In Iraq, she was incarcerated in a Prison facility on the grounds of affiliation with IS, and repatriated to Germany in April 2018. The defendant was sentenced to 5 years' imprisonment.
	Germany	Case number AK 22/19, 15 May 2019	Decision on remand detention issued by Federal Supreme Court	Syria and Iraq	03/2015 to 05/2016	Participation in a foreign terrorist organisation; war crime against property and other rights	The accused, who travelled from Germany to join IS, was charged for her active participation in a foreign terrorist organisation, as well as having taken possession of a house under the management of IS that had been left behind by their legal owners while fleeing or when expelled by IS – amounting to a war crime against property and other rights.
	Germany	Case number AK 12/19, 4 April 2019	Decision on remand detention issued by Federal Supreme Court	Syria	01/2014 to 10/2017	War crime of pillage; trafficking in human beings; deprivation of liberty; membership	The defendant, a German woman underage at the time of the offences, travelled to Syria and married an ISIL fighter in 2014. There, along with


	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
						in a terrorist organisation	supporting ISIL as a member of the organisation and exercising policing and security activities, she moved into and used properties seized by the organisation from their lawful owners, amounting to the war crime of pillage. She also held three Yazidi women as slaves, and is currently in pre-trial detention.
	Sweden	Case number B939-19, 19 February 2019	Decision issued by Appeal Court, including First Instance Court decision	Iraq	02/2015 to 03/2015	War crime against persons (outrage upon personal dignity)	The defendant, an Iraqi who fought against ISIL, was convicted to 1 year in prison for committing the war crime of outrage upon personal dignity. He posted pictures and films taken of himself in 4 occasions with bodies that he must have known were incapacitated by wounding or death, and two others, which were decapitated. As such, the defendant subjected those bodies to degrading treatment, constituting a violation of the persons' dignity.
	Finland	Case number R 18/6593, 10 January 2019	Decision issued by District Court (First Instance Court)	Iraq	03/2015 to 04/2015	War crime against persons (outrage upon personal dignity)	The defendant, an Iraqi citizen, served as a corporal in the Iraq Army, and participated in military actions against ISIL. In March 2015, during an operation, the defendant cut off the head of a dead ISIL fighter and dangled it in his hands. He also displayed the "victory" sign with his hands while another

	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
							person held the severed head, an event which was captured on video, and got uploaded publicly on Facebook late April 2015, along with images in which he poses with burnt soldiers' bodies. Such conduct amounts to inhumane and defamatory treatment, which offends the honour of the deceased. The defendant was conditionally sentenced to 1 year and 6 months imprisonment.
	Germany	Case number 3 StR 149/18, 23 August 2018	Decision issued by Federal Supreme Court – Case referred back to the Higher Regional Court for determination of sentence	Syria	03/2013 to 05/2013	Aiding and abetting a war crime against humanitarian operations; extortionary kidnapping; attempted severe extortionate assault; severe deprivation of liberty, but sentence annulled	On 17 February 2013, a UN civilian employee was kidnapped and held captive in a villa, until his escape in October 2013, by a group sympathising with Islamist ideas. The defendant, who did not belong to the group, spent at least 7 days in the villa. He knew about the kidnapping and its aim for ransom. The defendant sympathised with the plan, hence offered his support as guard for at least seven days. Sentenced to 3 years and 6 months' imprisonment at first instance, the decision was quashed in appeal, leading to the annulment of the sentence, while the findings on which the conviction was based remain.
	Switzerland	Case numbers BB.2017.9 – BB.2017.10 – BB.2017.11, 30 May 2018	Decision on the continuation of proceedings	Algeria	14/01/1992 to 31/01/1994	Torture; forced disappearances; murders	The Appellate Chamber found that the degree of violence in Algeria between law

	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
			issued by Appeal Court – Case remitted to the public prosecutor for further investigation				enforcement and the Islamist opposition at the time sufficed to consider the conflict a non-international one, and that one of the groups was organised enough to be considered a non-international armed group. Switzerland hence has jurisdiction to investigate the case, in which the defendant, a former General and Algerian Minister, is alleged to have ordered, participated in, and encouraged the widespread use of torture in Algeria, as well as murders and forced disappearances of alleged opponents.
	Germany	Case number StR 57/17, 27 July 2017	Final decision issued by Federal Supreme Court	Syria	08/03/2014 to 16/04/2014	War crime against persons (outrage upon personal dignity)	The defendant, a German national, was sentenced to 2 years' imprisonment for war crimes against persons, specifically demeaning and degrading treatment of dead persons. While in Syria, 3 photographs of him posing with the severed heads of enemy combatants impaled on metal rods were taken, and then uploaded onto Facebook after his return to Germany.

	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
	Sweden	Case number B3187-16, 11 April 2017	Appeal Court, including First Instance Court decision	Iraq	Spring 2015	War crime against persons (outrage upon personal dignity)	The defendant, an Iraqi migrant, was convicted to 9 months' imprisonment for committing a war crime. He posed next to the severed heads of enemy soldiers, and shared the images on Facebook, hence subjecting the corpses to humiliating and degrading treatment intended to seriously violate their personal dignity.
	Germany	Case number (2A) 172 OJs 26/16 (3/16), 1 March 2017	Decision issued by First Instance Court	Iraq	March 2015	War crime against persons (outrage upon personal dignity)	The defendant, an Iraqi citizen, was convicted to a suspended sentence of 1 year and 8 months imprisonment, on two counts of war crime against persons. A lieutenant in the anti-terrorism unit of the Iraqi army in March 2015, following the Second Battle of Tikrit, he had been pictured holding the severed heads of two IS fighters killed during the clashes, while wearing his combat gear. Held only by their hair, the facial features of the victims were clearly recognizable, hence amounting to mocking and degrading the dignity of an enemy <i>hors de combat</i> soldier.
	Sweden	Case number B3787-16, 16 February 2017	Final decision issued by Appeal Court, including First Instance Court decision	Syria	06/05/2012	Crime against international law, namely murder as a war crime	The defendant, a Syrian asylum seeker, was sentenced to life imprisonment and to expulsion from the country for actively participating in the deliberate,

	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
							extrajudicial killings of seven captured Syrian soldiers (thus <i>hors de combat</i>) during the Syrian conflict. A YouTube video, on which the defendant appeared, constituted the central piece of evidence.
	Sweden	Case number B2639-16, 11 May 2016	Appeal Court	Syria	05/2012 to 06/2012	International crime; aggravated assault	The defendant, a Syrian national, was convicted to 8 years' imprisonment for aggravated assault and international crime in the context of a non-international armed conflict, for torturing an <i>hors de combat</i> person. The Court of Appeal, considering the nexus between the aggravated assault and the ongoing armed conflict, which the defendant was aware of, decided that they must be linked, hence adding "international crimes" to the charges.
	Finland	Case number R 16/214, 22 March 2016	First Instance Court	Iraq	19/03/2015 to 02/04/2015	War crime against persons (outrage upon personal dignity)	The defendant, an Iraqi migrant and sergeant of the Iraqi army, was convicted to a 13-month suspended sentence for committing the war crime of outrage upon personal dignity. He posed for a picture while holding the decapitated head of an ISIL fighter, and shared these images on Facebook, amounting to desecrating and violating the dignity of a dead person.

	Country of trial	Date of decision and link	Stage of decision	Country of crime(s)	Time period of crime(s)	Type(s) of crime(s)	Summary of facts/crimes
	Finland	Case number R 16/1304, 18 March 2016	Decision issued by First Instance Court	Iraq	02/01/2015	War crime against persons (outrage upon personal dignity)	An Iraqi migrant and fighter in a paramilitary group received a 16-month suspended sentence for committing the war crime of desecrating and violating the dignity of a dead person. He held the head of an IS fighter and shared it on Facebook.