

CaseMatrix

Beweismanagement mit Hilfe
der CaseMatrix des IStGH

Anwendung im deutschen Strafrecht?

CaseMatrix

- 3 in 1:
 - Fall- und Beweismangement
 - Kommentar zur Völkerstrafrecht
 - Bibliothek zum Völkerstrafrecht
- Entwicklung
 - Seit 2005 am IfRI
 - Seit 2009 mit der EEAR
 - Basierend auf Open-Source-Komponenten
- Anwendung
 - Webapplikation
 - Unabhängig von Betriebssystemen

CaseMatrix

- Kommentar zum Völkerstrafrecht
 - 2000 Seiten
 - Zu den wichtigen Normen des Römischen Statuts
 - Art. 6 (Genocide)
 - Art. 7 (Crimes against humanity)
 - Art. 8 (War crimes)
 - Art. 25 (Modes of liability)
 - Verlinkung direkt aus dem Beweismanagement
 - Norwegische Bearbeiter
 - Urheberrechtlich geschützt

CaseMatrix

- Legal texts
 - (Basis-) Bibliothek zum Völkerstrafrecht
 - 2000 Dokumente zu
 - Römischen Statut
 - Ad-hoc-Tribunalen
 - Entscheidungen
 - Nationale Implementierungen
 - Nationale Entscheidungen
 - Offline-Fassung der ICC Legal tools
 - Volltextsuche

CaseMatrix

- Beweismanagement
 - Master page
 - Strukturierte Abbildung des Falls
 - Situation
 - Case
 - Suspect
 - Incident
 - Legal classification
 - Operational page
 - Strukturierte Abbildung des Tatbestandes
 - Legal requirements
 - Facts
 - Stages

Matrix

Case Matrix - Mozilla Firefox

http://localhost/cms/popup.php?op=matrix&do=show&folder=3&suspect=35&incident=1&crimeid=66&involvedcrimeid=180&molid=11

Start page Legal texts Elements Means of proof Search Options Columns Print Manual

Situation: ICC 01/04 Case: The... Suspect: Thomas Lubanga Show parts: <Select parts> Show legal services: <Select legal services> Show stages: <Select stages> User group: Judiciary

FPLC Murder 2005-03-11

Show legal services		Preliminary examination		
Legal requirements	Components of legal requirements	Prosecution material	Comments by assistants	Instructions / guidance from Ju
Contextual common elements	E.1. The conduct took place in the context of and was associated with an international armed conflict.	E.1.1. Existence of an "international armed conflict"	Since early 1996, the district of Ituri, and the DRC Eastern Provinces in general, have been at the forefront of two successive regional wars, which involved armed forces from several African countries. What is commonly referred to as the "First Congo War"...	
		E.1.2. In the context of": Temporal and geographical scope of the application of...		
		E.1.3. Was associated with: Nexus between the crime and the armed conflict [an armed...	The criminal conduct with which Thomas LUBANGA DYILO is charged took place in the context of and was associated with the armed conflict in Ituri: Children under the age of 15 years were enlisted and conscripted in order to undergo military training; the purpose of the training was to use them in hostilities, in particular to fight the FNI/FRPI	
		E.2. The perpetrator was aware of factual circumstances that established the...	On 15 September 2000, he founded the "Union des Patriotes Congolais" (UPC), becoming its President, as well as its armed wing the "Forces Patriotiques pour la Liberation du Congo (FPLC) of which he became the Commander-in-Chief.	

Art. 8(2)(b)(xxvi)

Fertig

Case Matrix - Mozilla Firefox

http://localhost/cms/popup.php?op=matrix&do=show&folder=3&suspect=35&incident=1&crimeid=66&involvedcrimeid=180&molid=11

Start page

Legal texts

Elements

Means of proof

Search

Options

Columns

Print

Manual

Situation: ICC 01/04

Case: The...

Suspect: Thomas Lubanga

Show parts: <Select parts>

Show legal services: <Select legal services>

Show stages: <Select stages>

User group: Judiciary

FPLC

Murder 2005-03-11

Show legal services		Preliminary examination		
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		E.1.2. In the context of": Temporal and geographical scope of the application of...		
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	E.2. The perpetrator was aware of factual circumstances that established the...		On 15 September 2000, he founded the "Union des Patriotes Congolais" (UPC), becoming its President, as well as its armed wing the "Forces Patriotiques pour la Liberation du Congo (FPLC) of which he became the Commander-in-Chief.	

Art. 8(2)(b)(xxvi)

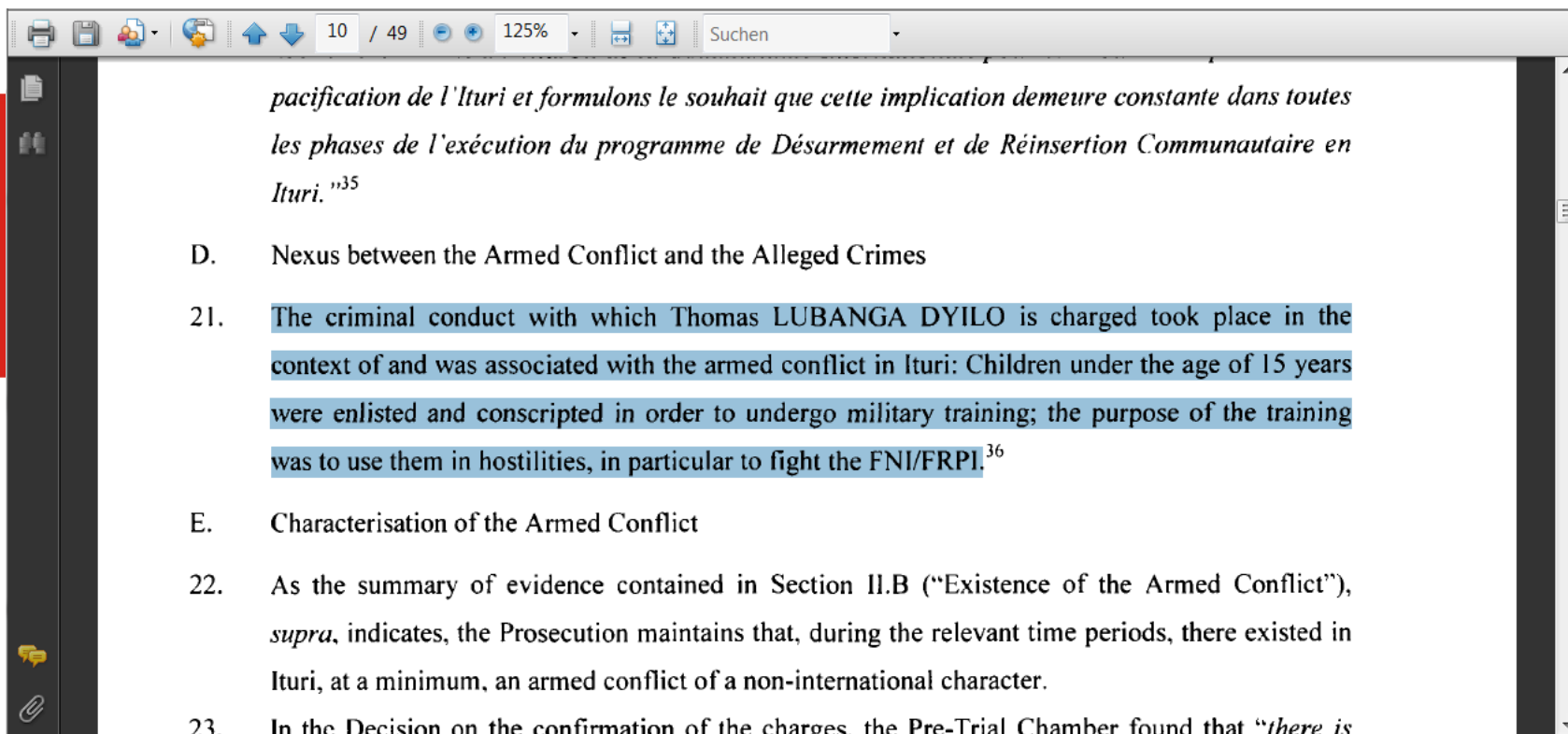
Fertig

EUROPÄISCHE EDV-AKADEMIE DES RECHTS gGmbH

Beweiszuordnung I

FPLC		
Murder 2005-03-11		
Show legal services		
Legal requirements	Components of legal requirements	Prosecution material
Contextual common elements	E.1. The conduct took place in the context of and was associated with an international armed conflict.	E.1.1. Existence of an "international armed conflict"
	E.1.2. In the context of": Temporal and geographical scope of the application of...	
	E.1.3. Was associated with: Nexus between the crime and the armed conflict [an armed...	
	E.2. The perpetrator was aware of factual circumstances that established the...	

Beweiszuordnung II



pacification de l'Ituri et formulons le souhait que cette implication demeure constante dans toutes les phases de l'exécution du programme de Désarmement et de Réinsertion Communautaire en Ituri. ³⁵

D. Nexus between the Armed Conflict and the Alleged Crimes

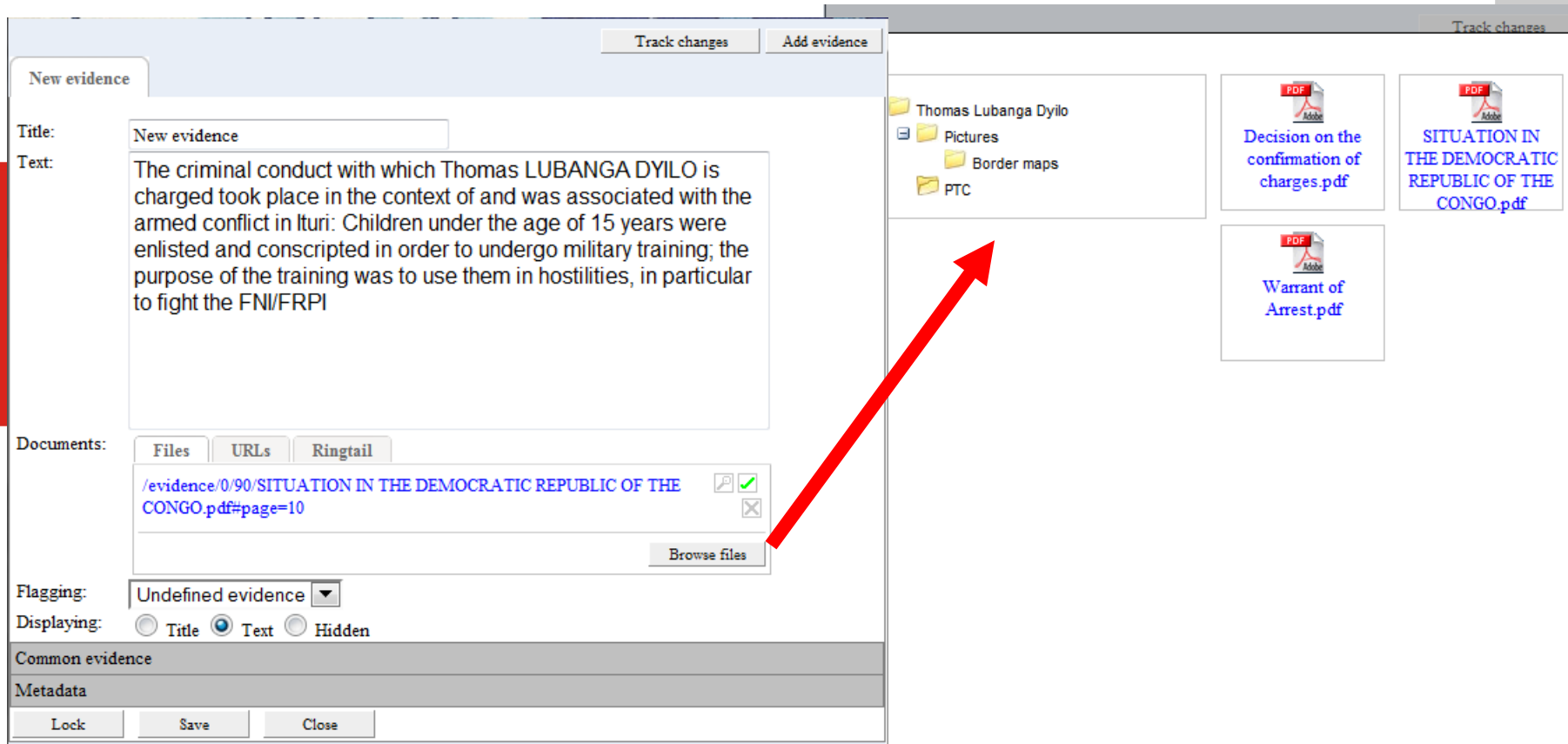
21. The criminal conduct with which Thomas LUBANGA DYILO is charged took place in the context of and was associated with the armed conflict in Ituri: Children under the age of 15 years were enlisted and conscripted in order to undergo military training; the purpose of the training was to use them in hostilities, in particular to fight the FNI/FRPI. ³⁶

E. Characterisation of the Armed Conflict

22. As the summary of evidence contained in Section II.B ("Existence of the Armed Conflict"), *supra*, indicates, the Prosecution maintains that, during the relevant time periods, there existed in Ituri, at a minimum, an armed conflict of a non-international character.

23. In the Decision on the confirmation of the charges, the Pre-Trial Chamber found that "there is

Beweiszuordnung III



The screenshot displays the EEAR (Evidence Entry and Assignment) interface. On the left, a 'New evidence' form is open, containing the following fields:

- Title:** New evidence
- Text:** The criminal conduct with which Thomas LUBANGA DYILO is charged took place in the context of and was associated with the armed conflict in Ituri: Children under the age of 15 years were enlisted and conscripted in order to undergo military training; the purpose of the training was to use them in hostilities, in particular to fight the FNI/FRPI
- Documents:** A list of documents is shown, including a file named </evidence/0/90/SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO.pdf#page=10> with a 'Browse files' button.
- Flagging:** Undefined evidence
- Displaying:** Title, Text, Hidden
- Common evidence**
- Metadata**
- Buttons:** Lock, Save, Close

On the right, a file explorer shows a folder structure for 'Thomas Lubanga Dyilo' containing 'Pictures', 'Border maps', and 'PTC'. A red arrow points from the 'Browse files' button in the 'Documents' section to the 'PTC' folder. Additionally, there are three PDF documents displayed on the right side of the interface:

- Decision on the confirmation of charges.pdf
- SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO.pdf
- Warrant of Arrest.pdf

Markup aus PDF-Dateien

eAkte 2010 - Interaktives Konzept - Mozilla Firefox

http://localhost:8080/eakte/menu.html?document=8613985ec49eb8f757ae6439e879bb2a

Dokument 1/1 (SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO.pdf) Seite 6/49

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO.pdf

ICC-01/04-01/06-1099-Anx 19-12-2007 6

Markup-Container 1

Since early 1996, the district of Ituri, and the DRC Eastern Provinces in general, have been at the forefront of two successive regional wars, which involved armed forces from several African countries. What is commonly referred to as the "First Congo War", which took place between 1996 and 1997, led to the overthrow of long-time DRC President Mobutu Sésé Seko by the Alliance des forces démocratique pour la libération du Congo (AFDL) of Laurent-Désiré Kabila. The "Second Congo War" lasted at least from 1998 to 2003, when the DRC Transitional Government was installed pursuant to the Accord Global et Inclusif. This period of sustained and widespread violence - which fragmented the country, heightened ethnic divisions, caused enormous loss of life and physical dislocation, and weakened or destroyed many of the structures of governance in the Eastern Provinces - underlay and helped exacerbate long-standing political tensions in Ituri.

Seite 6

Markup-Container 2

Markup-Container 3

Markup-Container 4

Markup-Container 5

Fertig

6. Existence of the Armed Conflict

6. Since early 1996, the district of Ituri, and the DRC Eastern Provinces in general, have been at the forefront of two successive regional wars, which involved armed forces from several African countries. What is commonly referred to as the "First Congo War", which took place between 1996 and 1997, led to the overthrow of long-time DRC President Mobutu Sésé Seko by the Alliance des forces démocratique pour la libération du Congo (AFDL) of Laurent-Désiré Kabila. The "Second Congo War" lasted at least from 1998 to 2003, when the DRC Transitional Government was installed pursuant to the *Accord Global et Inclusif*. This period of sustained and widespread violence - which fragmented the country, heightened ethnic divisions, caused enormous loss of life and physical dislocation, and weakened or destroyed many of the structures of governance in the Eastern Provinces - underlay and helped exacerbate long-standing political tensions in Ituri.

7. In 1998, the Ituri district was taken over by the rebel movement Rassemblement Congolais pour la Démocratie (RCD), at the time supported by the Ugandan army - the Ugandan People's Defence Forces (UPDF) - and the Rwandan army - then called the Rwandan Patriotic Army (RPA).¹³ The RCD soon split into the RCD-Goma, a faction of the RCD based in Goma, North-Kivu and backed by Rwanda; and the RCD/ML, backed by Uganda.¹⁴

8. Starting in mid-1999, disagreements in Ituri escalated and crystallized into a broader violent conflict among an array of armed militia aligned largely along ethnic lines.¹⁵ In early 2002, Ituri came under the control of the RCD/ML.¹⁶ Inter-ethnic fighting between Hema and Lendu militia intensified. From, at the latest, mid-2002 onwards, a sustained and extensive armed conflict existed among the organizations purporting to represent these and other ethnic groups.

9. Amidst a web of constantly changing alliances and successive platforms, the following armed groups, among others, planned and/or carried out military operations in Ituri at different times in 2002 and/or 2003: the UPC/FPLC, the Front des Nationalistes et Intégrationnistes (FNI), the Parti

SITUATION IN THE
DEMOCRATIC
REPUBLIC OF THE
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Seite 6

Markup-Container 2

Markup-Container 3

Markup-Container 4

Markup-Container 5



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SK: Clarification for witness statement "Bosco Ntaganda" needed

Markup-Container 1

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Seite 6

SK: Clarification for witness statement "Bosco Ntaganda" needed

Notiz Seite 6

Markup-Container 2

Markup-Container 3

Markup-Container 4

Markup-Container 5

Deutsches Strafrecht

- Matrizen in deutschen Umfangsverfahren?
- Vorteile
 - Gliederung
 - Beweiserschließung
 - Volltextsuche
- Probleme
 - (bisher) keine Abbildung prozeßrechtlicher Arbeitsabläufe
 - Pflegeaufwand

Deutsche CaseMatrix

Tatbestandsvoraussetzungen		
Tatbestand	Tatbestandsmerkmale	Ermittlungen
TB 1. (1) Wird eine juristische Person zahlungsunfähig oder überschuldet, haben die Mitglieder des Vertretungsorgans oder die Abwickler ohne schuldhaftes Zögern, spätestens aber drei Wochen nach Eintritt der Zahlungsunfähigkeit oder Überschuldung, einen Insolvenzantrag zu stellen.[...] (4) Wer entgegen Absatz 1 Satz 1, auch in Verbindung mit Satz 2 oder Absatz 2 oder Absatz 3, einen Insolvenzantrag nicht, nicht richtig oder nicht rechtzeitig stellt.	M 1.1. Insolvenzantrag wird nicht, nicht richtig oder nicht rechtzeitig gestellt	Handelsregistrauszug Bau GmbH +
	M 1.2. juristische Person	Handelsregistrauszug Bau GmbH +
	M 1.3. Überschuldung oder Zahlungsunfähigkeit der juristischen Person	Rechnungsstellung Cherpill +
	M 1.4. Mitglied des Vertretungsorgans	Handelsregistrauszug Bau GmbH +

Deutsche CaseMatrix

EEAR-Eintrag-Handelsregister-1.pdf

Datei Bearbeiten Ansicht Gehe zu Hilfe

Vorherige Nächste 1 (1 von 2) Auf Seitenbreite einpassen

Eintragungen beim Amtsgericht Saarbrücken im Handelsregister B 15467

1.
Nummer der Eintragung: 1
2.
a) Firma:
Europäische EDV-Akademie des Rechts (EAR) gGmbH
b) Sitz, Niederlassung, Zweigniederlassungen:
Merzig
c) Gegenstand des Unternehmens:
Die Durchführbarkeit und die Folgen der elektronischen Informationsverarbeitung in Recht und Verwaltung. Die Förderung der Wissenschaft und Forschung, insbesondere durch die Förderung des Einsatzes von Informationstechnik im Rechtswesen und in der Verwaltung. Zu den Aufgaben zur Erreichung dieses Zwecks gehören insbesondere: - die

Deutsche CaseMatrix

Tatbestandsvoraussetzungen		
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	M 1.2. juristische Person	Handelsregisterauszug Bau GmbH +
	M 1.3. Überschuldung oder Zahlungsunfähigkeit der juristischen Person	Rechnungsstellung Cherpill +
	M 1.4. Mitglied des Vertretungsorgans	Handelsregisterauszug Bau GmbH +

Deutsche CaseMatrix

Beispielfall 1

Datei Bearbeiten Ansicht Gehe zu Hilfe

↑ Vorherige ↓ Nächste 1 (1 von 1) Auf Seitenbreite einpassen ▼

sowie dazugehöriger Kaufvertrag, ZBM-Vorgangs-Nr. 01903273 Finanzierungsvertrag Mr. 503-0042300 Über 1 CHER Kettendozer D6NMP, Serien-Nr.: OJY011SS sowie dazugehöriger Kaufvertrag, ZBM-Vorgangs-Nr. 07055751 Finanzierungsvertrag Nr. 503-0042301 über 1 CHER Kettendozer D6NMP, Serien-Nr.: DJY01154 sowie dazugehöriger Kaufvertrag, ZBM-Vorgangs-Nr. 01905607 Finanzierungsvertrag Nr. 503-0042302 über 1 CHER Kettendozer D6NMP, Serien-Nr.: DJY01159 sowie dazugehöriger Kaufvertrag, ZBM-Vorgangs-Nr. 0B002520 Finanzierungsvertrag Nr. 503-004405S über 1 CHER Kettenbagger 345CL, Serien-Nr.: GPH00466 sowie dazugehöriger Kaufvertrag, ZBM-Vorgangs-Nr. 01907966

Sehr geehrter Herr Mustermann,

wir nehmen Bezug auf unser Kündigungs- und Rücktrittsschreiben vom 16.09.2008 und nehmen Sie hiermit auf Ersatz des uns aufgrund der außerordentlichen Kündigung und dem Rücktritt entstandenen Schadens in Anspruch.

Die Restforderung aus obigen Verträgen beträgt per Oktober 2008

EUR 8.207.105,68.

Da die von Ihnen bisher mitgeteilten Maschinenstandorte zu unpräzise sind, um einen Gutachter mit der Bewertung der Maschinen zu beauftragen und zu den Standorten zu entsenden und die Maschinen abzuholen, ist eine Reduzierung der Restforderung durch Abzug der Maschinenwerte bisher nicht möglich.

Folglich fordern wir Sie hiermit auf, obigen Betrag bis spätestens Montag, **den 30.10.2008**, auf unser Konto bei der [REDACTED], Konto-Nr.: 4 [REDACTED], BLZ: [REDACTED] anzuweisen und uns dies durch Einreichung des Überweisungsbelegs ebenfalls im Rahmen obiger Frist

Features

Implementation der CM-Standardfunktionen:

- Beweismanagement
- Metadaten
- Kommentare
- Volltextsuche über alle Inhalte

+ Erweiterung auf prozeßualrechtliche Abläufe

Case Matrix

Vielen Dank für Ihre Aufmerksamkeit!