

ANNEX 2

Sample for a Draft Model Chart on the Presentation of Incriminating and Exculpatory Evidence by the Parties

ELEMENTS	REFERENCE TO INCRIMINATORY EVIDENCE
CRIMES	
1. Crimes against humanity	
Common (contextual) elements	
(1) Attack	
(2) Widespread	
(3) Systematic	
(4) Directed against a civilian population	
(5) Knowledge of the attack	
Specific constituent elements of the counts	
<i>Count 1 – Murder - Article 7(1)(a)</i>	
Specific elements following the text of the elements of crimes	
<i>Count 2 – Forcible Transfer - Article 7(1)(d)</i>	
Specific elements following the text of the elements of crimes	
<i>Count 3 – Persecution - Article 7(1)(h)</i>	
Specific elements following the text of the elements of crimes	
MODES OF LIABILITY	
Article 25(3) (a)	
Jointly through another person (...)	
Article 25(3)(d)	
Contributed to a crime committed by a group of persons (...)	