**Additional ACE coding notes**

General coding procedure

The coding of ACE data is based on understanding of the atrocity crimes from the Rome Statute with the relevant definitions for each event type. In addition, supplementary files such as the International Criminal Court’s ‘Elements of Crimes’ and more specific crime guidance, for example, the United Nations ‘Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment’ were also used to inform the coders judgment. The coding process was conducted systematically following three main steps:

1. The coders conducted a search for the atrocity crime event type in Nexis Advance, for example, enslavement. The search criteria were specified to the country in question (but without time limitations).
2. The coders read the sources matching the search criteria to confirm that the article was relevant in reporting event/s (rather than, for example, UN resolutions). In addition, the coders also that there were ‘reasonable grounds to believe’ that the reported event had occurred vs. speculation or reports that were too vague to constitute event/s.
3. The final step after for the coders after establishing that there were event/s to code was to evaluate whether the event fulfilled the Rome Statute’s definition for inclusion. For example, reports on domestic violence would not be included since they do not meet the criteria of an atrocity crime specified in the Rome Statute.

Event type notes

**Enslavement:**

The coders included events that met the Rome Statute definition: ‘“Enslavement” means the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children.’[[1]](#footnote-1)

**Imprisonment:**

The starting point for coding imprisonment was from the Rome Statute where imprisonment is cited with reference to Crimes Against Humanity as acts that include ‘Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law’.[[2]](#footnote-2) In addition to this, the coders also referred to the United Nations ‘Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment’ to aid their judgement.[[3]](#footnote-3)

Imprisonment is coded as an atrocity crime when it is clear the person held has been charged and sentenced. Where this is not the case, for example ‘activists arrested and held’, this would constitute arbitrary detention (not coded in current version of ACE as an event type). ACE includes imprisonment based on unlawful imprisonment according to international standards (as opposed to national law) and thus includes the imprisonment of, for example, journalists and human rights activists. While events such as imprisoned for drinking alcohol would not be unlawful according to international standard, but against Sharia law, they are not included because they do not constitute atrocity events.

**Torture:**

Torture is coded based on the Rome Statute with reference to both Crimes Against Humanity and War Crimes and defined as: ‘“Torture” means the intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused; except that torture shall not include pain or suffering arising only from, inherent in or incidental to, lawful sanction’[[4]](#footnote-4) and ‘torture or inhuman treatment, including biological experiment’.[[5]](#footnote-5)

Torture specific coding notes:

* In the event of one victim of torture, injuries are coded as 1 if there is a description of a physically violent torture event. A torture event is not necessarily always physically violent and cause physical injuries.
* Where an article describes torture as a result of ‘inhumane conditions’ i.e. restricted or no access to toilets or psychological torture inflicted by prison conditions, the event is coded as torture.
* If a pregnant woman is tortured and, as a result of the torture, her baby dies, the number of victims are coded as two victims, one injured and one killed.
* If a report says the victim was tortured in prison or detention facility, it is assumed to be operated by the state forces and unless otherwise specified, the perpetrator is described as the government in the mname variable field.
* When coding “Somalia AND Torture”, numerous instances involving piracy were difficult to locate with any degree of precision (due to most of the events taking place at least partially at sea). However, in virtually all cases involving torture by pirates, the victims are held for at least some time in the Puntland region. Since very few specifics are ever given about where in Puntland this might be, almost all of these cases have been coded for Garoowe (which is the recognised centre of the Puntland region).

**Rape:**

Rape is coded based on the Rome Statute with reference to both Crimes Against Humanity and War Crimes and defined as: ‘Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity’[[6]](#footnote-6) and ‘committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2 (f), enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions’[[7]](#footnote-7) and ‘Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2 (f), enforced sterilization, and any other form of sexual violence also constituting a serious violation of article 3 common to the four Geneva Conventions’.[[8]](#footnote-8)

In addition, the coders also referred to the International Criminal Court’s ‘Elements of Crimes’ which defines the rape as the invasion ‘“of the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body. . . The invasion was committed by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment, or the invasion was committed against a person incapable of giving genuine consent.”[[9]](#footnote-9)

Rape specific coding notes:

* While all rapes are sexual violence, injuries are only coded occurring if there is a description of a physically violent rape, such as inserting objects into the victim.
* For cases of “sexual abuse and exploitation” (which is the terminology used to to describe events involving peacekeepers), these events are coded as rape only if the report discusses the event in detail (to acertain whether there was penetration, as per the definitions above, and involves a minor (under 16). It is not enough for the report to say “child” or “boy” “girl.” The victim’s age must also be stated in the report to reach the level of coding rape based on “sexual abuse and exploitation”.

**Sexual slavery:**

Sexual slavery is coded based on the same references as rape, appearing both as Crimes Against Humanity and War Crimes in the Rome Statute (see Rape variable above for definitions). Similarly to coding rape, the definition was aided by the International Criminal Court’s Elements of Crimes which gives further detail on the meaning of sexual slavery:

1. ‘The perpetrator exercised any or all of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty.’
2. ‘The perpetrator caused such person or persons to engage in one or more acts of a sexual nature.’[[10]](#footnote-10)

**Humanitarian Attacks:**

These events are coded based on the Rome Statute’s reference to the following act under War Crimes: ‘Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict’.[[11]](#footnote-11)

Humanitarian attacks specific coding notes:

* Both attacks on people (humanitarians) AND materials/premises (structures/objects) are coded. If an object was attacked, this is coded as an attack with 0 for the victim number variable. If the object was attacked, and one staff member / personnel is killed, this is coded as a humanitarian attack with nkilled variable=1.
* If an MSF convoy is attacked and a patient is killed, the attack is against the convoy. The patient is not a humanitarian, so the nvictim and nkilled variables are coded as= 0.
* Attacks on, for example, schools or hospitals are only be coded if the presence of a humanitarian actor is mentioned in the report.
* Only events which have been recorded in full will be coded. While there may be yearly/monthly reports detailing a total of 20 humanitarian attacks, if only 5 of these were ever reported as an individual event then it is only these 5 which will be suitable for coding.
* Attacks on ‘humanitarian spaces’ (including humanitarian corridors) are coded, even if the specific terms used to designate such spaces can vary from case to case.

**Peacekeeping Attacks:**

These events are coded based on the previous category of events (humanitarian attacks) since they are both defined similarly under the Rome Statute. ACE, however, codes peacekeeping attacks as a separate variable since there may be specific motivations for attacking peacekeepers vs. other types of humanitarian missions and/or personnel and we wanted to make such subsequent analysis easier for end-users. These two event type categories can be combined should the broader analysis benefit from understanding all attacks under the specific category of War Crimes under the Rome Statute.

Peacekeeping attacks specific coding notes:

* Attacks refer to armed attacks against personnel, bases, vehicles etc.
* These events are coded if peacekeepers are the explicit target of the attack and peacekeepers can refer to UN or non-UN peacekeepers and include armed personnel (soldiers) but also others who are part of peacekeeping mission who may / may not also be armed: police, civilian staff, etc
* Direct attacks against peacekeepers such as peacekeepers being ambushed, coming under attack are coded. If an article discusses a clash between peacekeepers and other armed actors, the article must also state that the peacekeepers were first attacked, came under fire (first) in order to code this as an attack.
* The victim number coding for this variable: if the report states a patrol was attacked but does not indicate how many peacekeepers were part of this patrol, the vnumber = -99
* Battles, clashes, and fights between peacekeepers and other armed actors are not coded under this event type.

**Mutilation:**

Mutilation is coded based on the Rome Statute definition under the category of War Crimes as: ‘Subjecting persons who are in the power of an adverse party to physical mutilation or to medical or scientific experiments of any kind which are neither justified by the medical, dental or hospital treatment of the person concerned nor carried out in his or her interest, and which cause death to or seriously endanger the health of such person or persons.’[[12]](#footnote-12)

Mutilation specific coding notes:

* The discovery of mutilated bodies is only coded as an event if there is enough information in the source about the actual event of mutilation.
* In some instances, sexual violence and mutilation happen simultaneously, if that is the case, these are coded as separate instances of sexual violence and mutilation.
* This coding excludes events where mutilation happens as a consequence of a bomb or blast of any kind.
* This coding excludes events where mutilation is done by ritualists purely for ritual purposes unless this funds the perpetrating armed group.
* This coding excludes events beheadings and decapitations.

1. International Criminal Court, Rome Statute of the International Criminal Court. 2021, p. 4. https://www.icc-cpi.int/sites/default/files/Publications/Rome-Statute.pdf [↑](#footnote-ref-1)
2. Ibid, p. 4. [↑](#footnote-ref-2)
3. United Nations, Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, 1988. <https://www.ohchr.org/en/professionalinterest/pages/detentionorimprisonment.aspx> [↑](#footnote-ref-3)
4. International Criminal Court, Rome Statute of the International Criminal Court, p. 4. [↑](#footnote-ref-4)
5. International Criminal Court, Rome Statute of the International Criminal Court, p. 5. [↑](#footnote-ref-5)
6. International Criminal Court, Rome Statute of the International Criminal Court, p. 6. [↑](#footnote-ref-6)
7. Ibid, p. 7. [↑](#footnote-ref-7)
8. Ibid, p. 9. [↑](#footnote-ref-8)
9. International Criminal Court, Elements of Crimes, The Hague: International Criminal Court, 2013, p. 4. https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf [↑](#footnote-ref-9)
10. Ibid, p. 6. [↑](#footnote-ref-10)
11. International Criminal Court, Rome Statute of the International Criminal Court, p. 6. [↑](#footnote-ref-11)
12. International Criminal Court, Rome Statute of the International Criminal Court, p. 6. [↑](#footnote-ref-12)