

'Hybrid courts'

The hybrid category of a new type of international crimes courts

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Abstract

The literature has welcomed hybrid courts as a new type of international crimes courts, asserting that they promise to combine the benefits and to avoid the drawbacks of purely international and purely domestic trials. Upon closer examination of the current examples of hybrid courts in Kosovo, East Timor, Sierra Leone, Cambodia and Bosnia and Herzegovina it is revealed, however, that it is highly questionable whether such a promise can be ascribed to hybrid courts as a category. The current hybrid courts differ from one another in critical respects. Furthermore, some of the features that they do have in common appear to be coincidental, in that they are not defining characteristics. Attributing a promise to the category of hybrid courts as a whole raises false expectations as these fundamental differences and non-defining common features are at least as important to the alleged promise of hybrid courts as the one common defining characteristic, namely mixed panels of judges.

Keywords

international criminal courts; hybrid courts; internationalized courts

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