

International Criminal Law Review

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The International Criminal Court Andrew Novak, 2015-03-11 This book is about the International Criminal Court ICC a new and highly distinctive criminal justice institution with the ability to prosecute the highest level government officials including heads of state even in countries that have not accepted its jurisdiction The book explores the historical development of international criminal law and the formal legal structure created by the Rome Statute against the background of the Court's search for objectivity in a political global environment The book reviews the operations of the Court in practice and the Court's position in the power politics of the international system It discusses and clarifies all stages of an international criminal proceeding from the opening of the investigation to sentencing reparations and final appeals in the context of its restorative justice mission Making appropriate comparisons and contrasts between the international criminal justice system and domestic and national systems the book fills a gap in international criminal justice study The International Criminal Court Roy S. K. Lee, 1999-09-06 Law Roy S Lee **The International Criminal Court**, 1998 *The International Criminal Court in Search of its Purpose and Identity* Triestino Mariniello, 2014-11-27 The International Criminal Court ICC is the first permanent international criminal tribunal which has jurisdiction over the most serious crimes of concern to the international community as a whole genocide crimes against humanity war crimes and crime of aggression This book critically analyses the law and practice of the ICC and its contribution to the development of international criminal law and policy The book focuses on the key procedural and substantive challenges faced by the ICC since its establishment The critical analysis of the normative framework aims to elaborate ways in which the Court may resolve difficulties which prevent it from reaching its declared objectives in particularly complex situations Contributors to the book include leading experts in international criminal justice and cover a range of topics including inter alia terrorism modes of liability ne bis in idem victims reparations the evidentiary threshold for the confirmation of charges and sentencing The book also considers the relationship between the ICC and States and explores the impact that the new regime of international criminal justice has had on countries where the most serious crimes have been committed In drawing together these discussions the book provides a significant contribution in assessing how the ICC's practice could be refined or improved in future cases The book will be of great use and interest to international criminal law and public international law **An Introduction to the International Criminal Court** William A. Schabas, 2020-07-02 This is the authoritative introduction to the International Criminal Court fully updated in this sixth edition The book covers the legal framework of the Court the cases that it has heard and that are still to come and the political debates surrounding its operation It is written by one of the major authorities on the subject in language accessible to non specialists The sixth edition brings legal references fully up to date in light of the Court's case law Several trials have now been completed with four convictions and a number of controversial acquittals The book also discusses the situations that the Court is currently investigating including Palestine Georgia Ukraine Venezuela

and the UK in Iraq It also looks into the crisis with African states and the hostility of the United States to the institution

An Introduction to the International Criminal Court William A. Schabas, 2017-01-11 The International Criminal Court ushered in a new era in the protection of human rights The Court prosecutes genocide crimes against humanity war crimes and the crime of aggression when national justice systems are either unwilling or unable to do so themselves This fifth edition of the seminal text describes a Court which is no longer in its infancy the Court is currently examining situations that involve more than twenty countries in every continent of the planet This book considers the difficulties in the Court's troubled relationship with Africa the vagaries of the position of the United States and the challenges the Court may face as it confronts conflicts around the world It also reviews the history of international criminal prosecution and the Rome Statute Written by a leading commentator it is an authoritative and up to date introduction to the legal issues involved in the creation and operation of the Court

States of Justice Oumar Ba, 2020-06-24 This book theorizes how weaker states in the international system use the ICC to advance their security and political interests

The International Criminal Court in Turbulent Times Gerhard Werle, Andreas Zimmermann, 2019-06-29 The chapters in this book are reworkings of presentations given during a conference held in 2018 at the German Embassy to the Netherlands in The Hague on the occasion of the 20th anniversary of the adoption of the Rome Statute They provide an in depth analysis of major points of contention the International Criminal Court ICC is currently facing such as inter alia head of state immunities withdrawal from the Rome Statute the exercise of jurisdiction vis vis third party nationals the activation of the Court's jurisdiction regarding the crime of aggression as well as the relationship of the Court with both the Security Council and the African Union all of which are issues that have a continued relevance and carry a particular controversy The collection provides insights from both practitioners including judges of the ICC and diplomats who participated in the negotiations leading to the adoption of the Rome Statute as well as well known academics from various parts of the world working in the field of international criminal law The aim of the book is not only to inform and stimulate academic debate on the topic but also to serve as an instrument for lawyers involved in the practice of international criminal law Gerhard Werle is Professor at the Faculty of Law of the Humboldt University in Berlin Germany and Andreas Zimmermann is Professor at the Faculty of Law of the University of Potsdam in Germany Jürgen Bering who worked on this book as assistant editor is an Associate at Dentons Berlin and a PhD candidate at the Martin Luther University Halle Wittenberg Germany

The International Criminal Court and problems of state sovereignty Oliver Holmes, 2009-12-02 Scientific Essay from the year 2008 in the subject Law Criminal process Criminology Law Enforcement grade 2.1 University of Leeds course Political Science language English abstract It is the argument of this dissertation that the International Criminal Court is an appropriate tool for the enforcement of international criminal law and embodies a shifting notion of state sovereignty Historically both multilateral and unilateral attempts to enforce international criminal law have been progressive but not wholly successful The International Criminal

Court is rooted in customary law and addresses the failures of past attempts The Court's opposition has illustrated problems of state sovereignty which in turn exemplifies how the International Criminal Court embodies a shifting notion of state sovereignty The sources used are the existing academic literature interviews international statute magazines and newspaper articles

Means to an End Lee Feinstein, Tod Lindberg, 2011-11-11 The International Criminal Court remains a sensitive issue in U S foreign policy circles It was agreed to at the tail end of the Clinton administration but with serious reservations In 2002 the Bush administration ceremoniously reversed course and unsigned the Rome Statute that had established the Court But recent developments in Washington and elsewhere indicate that the United States may be moving toward de facto acceptance of the Court and active cooperation in its mission In *Means to an End* Lee Feinstein and Tod Lindberg reassess the relationship of the United States and the ICC as well as American policy toward international justice more broadly Praise for the hardcover edition of *Means to an End* Books of this sort are all too rare Two experienced policy intellectuals one liberal one conservative have come together to find common ground on a controversial foreign policy issue The book is short but it goes a long way toward clearing the ideological air Foreign Affairs A well researched and timely contribution to the debate over America's proper relationship to the International Criminal Court Rigorous in its arguments and humane in its conclusions the volume is an indispensable guide for scholars and policymakers alike Madeleine K Albright former U S Secretary of State Two of our nation's leading authorities on preventing atrocities have joined to make a convincing argument that closer cooperation with the International Criminal Court will help promote human rights and the values on which America was founded Angelina Jolie co chair Jolie Pitt Foundation

Peace and Justice at the International Criminal Court Errol P. Mendes, 2019 This book focuses on how the International Criminal Court seeks accountability for the most serious crimes Errol P Mendes dives deep into the facts and rulings of the Court that involved some of the most serious conflicts in recent times to demonstrate that justice is critical for sustainable peace What results is a detailed but honest critique of where the Court succeeds and where it needs to improve The author goes on to provide a prediction of the greatest challenges facing the Court in the foreseeable future This book is a valuable resource for academics and students in international criminal law and practice public international relations political science military and war studies etc

Politicizing the International Criminal Court Steven C. Roach, 2006-08-24 The establishment of the International Criminal Court ICC in July 1998 has attracted growing interest in the evolving role of politics in international law Steven C Roach's innovative and systematic work on the political and ethical dimensions of the ICC is the first comprehensive attempt to situate the politics of the ICC both theoretically and practically Linking the ICC's internal politicization with its formative development Roach provides a unique understanding of this institution's capacity to play a constructive role in global politics He argues that an internal form of politicization will allow the ICC to counter outside efforts to politicize it whether this involves the political agenda of a state hegemon or the geopolitical interests of U N Security Council permanent members

Steering a new path between conventional approaches that stress the formal link between legitimacy and legal neutrality and unconventional approaches that treat legitimacy and politics as inextricable elements of a repressive international legal order Roach formulates the concept of political legalism which calls for a self directed and engaged application of the legal rules and principles of the ICC Statute Politicizing the International Criminal Court is a must read for scholars students and policymakers interested in the dynamics of this important international institution Understanding the International

Criminal Court International Criminal Court,2013 An Introduction to the International Criminal Court William Schabas,2011 Fourth edition includes recent cases and the addition of the crime of aggression to the jurisdiction of the Court

Commentary on the Law of the International Criminal Court Mark Klamberg,2017-04-29 **The Jurisdiction of the International Criminal Court** Victor Tsilonis,2023-12-02 This book embarks on a comprehensive exploration of the jurisdiction of the International Criminal Court ICC and elucidates the three foundational aspects of its jurisdiction as laid out in the Rome Statute the preconditions for exercising jurisdiction Article 12 ICCRSt its substantive competence regarding core crimes Articles 5 8bis ICCRSt and the principle of complementarity Article 17 1 a ICCRSt This principle crucial to understanding the ICC s ultimate jurisdiction is invoked only when a State Party demonstrates an inability or unwillingness to genuinely undertake investigation or prosecution The book further probes the negative preconditions of the Court s jurisdiction in particular immunities Article 27 ICCRSt and exceptions through Security Council referrals Articles 13 b and 15 ICCRSt Intended for students scholars and practitioners alike this second edition offers invaluable insights into the ICC s jurisdiction making a notable contribution to the existing literature Importantly it also navigates emerging fields of international criminal law addressing topical and thought provoking subjects such as ecocide cyber warfare automated lethal weapons artificial intelligence and the legal complexities arising from the Russian invasion of Ukraine The International Criminal Court: Contemporary Challenges and Reform Proposals Richard H. Steinberg,2020-07-20 The International Criminal Court Contemporary Challenges and Reform Proposals is a collection of essays by prominent international criminal law commentators responsive to questions of interest to the Office of the Prosecutor of the International Criminal Court Topics include Sexual and Gender Based Violence Obtaining Evidence Outreach Challenges Communicating with Victims Witnesses and Others ICC State Party Withdrawals Measuring the ICC s Performance The Crime of Aggression Scope and Anticipated Difficulties The Rome Statute at Twenty Reform Proposals *The Triggering Procedure of the International Criminal Court* Héctor Olásolo,2005 The Rome Statute unlike the statutes of the International Criminal Tribunals for the former Yugoslavia and for Rwanda creates a permanent court whose dormant jurisdiction covers the territory and includes the nationals of States Parties and is universal in cases where the Security Council makes a referral Besides unlike the ad hoc tribunals which have jurisdiction over specific crisis situations whose personal territorial and temporal parameters have been defined in their respective statutes by the UN Security Council in the case of the ICC it is not possible to determine a priori in which

situations the ICC will be involved As a result the most relevant activity of the Court is the determination of those situations regarding which the dormant jurisdiction of the Court will be triggered The book *The Triggering Procedure of the International Criminal Court* constitutes the first comprehensive analysis of the proceedings that prior to any criminal investigation aim to make such a fundamental determination **The International Criminal Court and National Jurisdictions** Federica Gioia, 2016-12-05 At a stage in its development when the workings of the International Criminal Court may be assessed this timely volume provides valuable insights into its activities and in particular its interaction with national jurisdictions and international organizations The contributors discuss a broad range of topics and present a first assessment of complementarity They address the issues at the heart of the substantive and procedural law of the Court and examine aspects relating to national implementation and international cooperation These proceedings are the latest addition to the Trento Conference series bringing together a wide range of leading scholars diplomats and representatives of international organizations As such they provide an important contribution to the ongoing debate surrounding International Criminal Law and the International Criminal Court in particular This thought provoking study will be of value to researchers and policy makers alike **The Elgar Companion to the International Criminal Court** Margaret deGuzman, Valerie Oosterveld, 2020-12-25 This comprehensive Companion examines the achievements and challenges of the International Criminal Court ICC the world's first permanent international criminal tribunal It provides an overview of the first two decades of the ICC's existence investigating the dominant narratives and counter narratives that have emerged about the institution and its work

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