



International Criminal Court S

Christopher Rudolph



International Criminal Court S:

Complementarity in the Rome Statute and National Criminal Jurisdictions Jann K. Kleffner, 2008-12-18 This book provides an in depth examination of the principle of complementarity in the Rome Statute of the International Criminal Court and the implications of that principle for the suppression of genocide crimes against humanity and war crimes on the domestic level The book is set against the general background of the suppression of these crimes on the domestic level its potential and pitfalls It traces the evolution of complementarity and provides a critical and comprehensive analysis of the provisions in the Rome Statute and the Rules of Procedure and Evidence relevant to complementarity In so doing it addresses both substantive and procedural aspects of admissibility while taking account of the early practice of the ICC Further attention is devoted to the question whether and to what extent the Rome Statute imposes on States Parties an obligation to investigate and prosecute core crimes domestically Finally the book examines the potential of the complementary regime to function as a catalyst for States to conduct domestic criminal proceedings vis vis core crimes

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

International Criminal Procedure Linda Carter, Fausto Pocar, 2013-01-01 International Criminal Procedure edited by two insiders to international criminal proceedings Professor Linda Carter and Professor Fausto Pocar a judge at the ICTY and a former President of this Tribunal is a coherently organized well researched very informative and not the least elegantly written contribution to a young and rapidly developing legal sub discipline The book provides its reader with a highly accessible and up to date introduction into key elements of international criminal procedure as well as with critical commentary and rich inspiration for improvements of current practices Claus Kre LL M Cantab University of Cologne Germany and Institute for International Peace and Security Law This book addresses compelling issues that have come before international criminal tribunals They include the self

representation of accused persons plea bargaining and victim participation It usefully approaches all of the issues and problems from a comparative law perspective This excellent and accessible work is essential reading for practitioners faculty and students of international criminal law Richard Goldstone Retired Justice of the Constitutional Court of South Africa and for Chief Prosecutor of the United Nations International Criminal Tribunals for the former Yugoslavia and Rwanda The emergence of international criminal courts beginning with the International Criminal Tribunal for the former Yugoslavia and including the International Criminal Court has also brought an evolving international criminal procedure In this book the authors examine selected issues that reflect a blending of or choice between civil law and common law models of procedure The issues include background on civil law and common law legal systems plea bargaining witness proofing written and oral evidence self representation and the use of assigned standby and amicus counsel the role of victims and the right to appeal International Criminal Procedure will appeal to academics students researchers lawyers and judges working in the field of international criminal law *An Introduction to International Criminal Law and Procedure* Robert Cryer,Håkan Friman,Darryl Robinson,Elizabeth Wilmshurst,2007-06-14 International criminal law has developed considerably in the last decade and a half resulting in a complex and re invigorated discipline This has impacted directly on the popularity of the study of the subject particularly on postgraduate law degrees This textbook serves these courses by providing an introduction to the principles of international criminal law and processes Written by four international lawyers with experience of teaching international criminal law it is accessible yet sophisticated in its approach It covers substantive international criminal law the institutions designed to enforce it and their procedures and the international law applicable to domestic prosecutions of international crimes It will be essential reading for students and teachers of international criminal law In addition practitioners and researchers in the field and in related fields such as criminal law students of international law and international relations will find this introduction invaluable **Archbold, International Criminal Courts** Rodney Dixon,Karim A. A. Khan,2003 Presents a statement of the law and practice of Scotland s sheriff courts **The International Criminal Court and National Courts** Nidal Nabil Jurdi,2016-03-03 This book analyzes the position of the ICC in relation to national court systems The research illustrates that what seemed to be a straight forward relationship between the ICC and national courts under the complementarity mechanism proves to be much more complex in practice Using the referrals of Uganda and Darfur the book demonstrates ways in which it might be possible to prosecute for crimes currently not prosecuted by the ICC and brings to light possible solutions to overcome the gaps in law and practice in the jurisdictional relation between the ICC and national systems It will be of value to academics students and policy makers working in the area of international law international organizations and human rights *Africa and the International Criminal Court* Gerhard Werle,Lovell Fernandez,Moritz Vormbaum,2014-09-09 The book deals with the controversial relationship between African states represented by the African Union and the International Criminal Court This relationship started promisingly

but has been in crisis in recent years The overarching aim of the book is to analyze and discuss the achievements and shortcomings of interventions in Africa by the International Criminal Court as well as to develop proposals for cooperation between international courts domestic courts outside Africa and courts within Africa For this purpose the book compiles contributions by practitioners of the International Criminal Court and by role players of the judiciary of African countries as well as by academic experts

Power and Principle Christopher Rudolph, 2017-04-18 On August 21 2013 chemical weapons were unleashed on the civilian population in Syria killing another 1 400 people in a civil war that had already claimed the lives of more than 140 000 As is all too often the case the innocent found themselves victims of a violent struggle for political power Such events are why human rights activists have long pressed for institutions such as the International Criminal Court ICC to investigate and prosecute some of the world's most severe crimes genocide war crimes and crimes against humanity While proponents extol the creation of the ICC as a transformative victory for principles of international humanitarian law critics have often characterized it as either irrelevant or dangerous in a world dominated by power politics Christopher Rudolph argues in **Power and Principle** that both perspectives are extreme In contrast to prevailing scholarship he shows how the interplay between power politics and international humanitarian law have shaped the institutional development of international criminal courts from Nuremberg to the ICC Rudolph identifies the factors that drove the creation of international criminal courts explains the politics behind their institutional design and investigates the behavior of the ICC Through the development and empirical testing of several theoretical frameworks **Power and Principle** helps us better understand the factors that resulted in the emergence of international criminal courts and helps us determine the broader implications of their presence in society

The Law and Practice of the International Criminal Court Carsten Stahn, 2015 The International Criminal Court has significantly grown in importance and impact over the decade of its existence This book assesses its impact providing a comprehensive overview of its practice It shows how the Court has contributed to major developments in international criminal law and identifies the ways in which it is in need of reform

Atrocity Crimes, Children and International Criminal Courts Cécile Aptel, 2023-04-28 This book shows how international criminal courts have paid only limited and inconsistent attention to atrocity crimes affecting children It elucidates the many structural legal financial and even attitudinal obstacles often overlapping that have contributed to the international courts focus on the experience of adults rendering children almost invisible It reviews whether and how different international and hybrid criminal jurisdictions have considered international crimes committed against or by children The book also considers how international criminal justice can help contribute to the recognition of the specific impact that international crimes have on children whether as victims or as participants and strengthen their protection Finally it proposes an agenda to improve this situation making specific recommendations encompassing the urgent need to further elaborate child friendly procedures It also calls for international investigative and prosecutorial strategies to be less

adult centric and broaden the scope of crimes against children beyond the focus on child soldiers This book is an invaluable resource for academics researchers and fieldworkers in the areas of international criminal law international human rights law child rights international humanitarian law child protection and transitional justice

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