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Rome Statute of the International Criminal Court

Article-by-Article Commentary

Fourth Edition



Rome Statute For An International Criminal Court A Commentary

Carsten Stahn



Rome Statute For An International Criminal Court A Commentary:

The International Criminal Court William Schabas, 2010 The International Criminal Court has been operational since mid 2003 following the entry into force of the Rome Statute of the International Criminal Court on 1 July 2002 The Rome Statute is among the most complex international treaties a combination of public international law international humanitarian law and criminal law both international and domestic The Commentary provides an article by article analysis of the Statute Each of the 128 articles is presented accompanied by a bibliography of academic literature relevant to that provision an overview of the drafting history of the provision and an analysis of the text The analytical portion of each chapter draws upon relevant case law from the Court itself as well as from other international and national criminal tribunals academic commentary and the related instruments such as the Elements of Crimes the Rules of Procedure and Evidence and the Relationship Agreement with the United Nations Written by a single author the Commentary avoids duplication and inconsistency providing a comprehensive presentation to assist those who must understand interpret and apply the complex provisions of the Rome Statute

Rome Statute of the International Criminal Court Kai Ambos, Otto Triffterer, 2016 On 1st July 2008 the Rome Statute of the International Criminal Court entered into force enabling the ICC as laid down in the Preamble to the Statute to affirm that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must be ensured by taking measures at national level and by enhancing international cooperation In the second edition of their Commentary Otto Triffterer and a number of eminent legal practitioners and scholars in the field of international criminal law give a detailed article by article analysis of both the Statute as well as the Elements of Crime and the Rules of Procedure and Evidence adopted by the Assembly of States Parties in 2002 and the Regulations of the Court adopted by the Judges of the ICC in 2004 The second edition is a substantially revised and significantly amended version of the first edition of 1999 considering the jurisprudence of the International Criminal Tribunal for the former Yugoslavia ICTY and the International Criminal Tribunal for Rwanda ICTR as well as other international semi international or national courts and the relevant literature since 1999 The Commentary will be an invaluable aid to all practitioners and scholars dealing with the Rome Statute and the jurisdiction established by its Complementarity Regime Bloomsbury Publishing

Commentary on the Rome Statute of the International Criminal Court Otto Triffterer, 1999

The International Criminal Court William A. Schabas, 2017-01-19 Established as one of the main sources for the study of the Rome Statute of the International Criminal Court this volume provides an article by article analysis of the Statute the detailed analysis draws upon relevant case law from the Court itself as well as from other international and national criminal tribunals academic commentary and related instruments such as the Elements of Crimes the Rules of Procedure and Evidence and the Relationship Agreement with the United Nations Each of the 128 articles is accompanied by an overview of the drafting history as well as a bibliography of academic literature relevant to the provision

Written by a single author the Commentary avoids duplication and inconsistency providing a comprehensive presentation to assist those who must understand interpret and apply the complex provisions of the Rome Statute This volume has been well received in the academic community and has become a trusted reference for those who work at the Court even judges The fully updated second edition of The International Criminal Court incorporates new developments in the law including discussions of recent judicial activity and the amendments to the Rome Statute adopted at the Kampala conference

Rome Statute of the International Criminal Court Kai Ambos,2021 Founded by the late Otto Triffterer this leading commentary contains a detailed article by article analysis of the Rome Statute of the International Criminal Court ICC by eminent legal practitioners and scholars in the field of international criminal law The commentary explains the content of the various articles in a broader sense including their drafting history their impact on International Criminal Law and their relation to other sources of the ICC such as the Rules of Procedure and Evidence and the Regulations of the Court and the Prosecution The fourth edition has been thoroughly revised updated and complemented with further resources It contains up to date case law including a Table of Cases literature and legislative developments at the ICC in a clearly structured manner and will continue to provide a useful guide for both practitioners and academics in various capacities **The Rome Statute of the International Criminal Court** Antonio Cassese,Paola Gaeta,John R. W. D. Jones,2002 *Commentary on the Rome Statute of the International Criminal Court* Kai Ambos,1999-01 PART 6 THE TRIAL The Trial Proceedings Of The International Criminal Court Notburga K. Calvo-Goller,2006 Contains the trial proceedings of the International Criminal Court the ICTY and the ICTR in one single volume This book covers the procedural and evidentiary aspects of the trials before the ICC from the beginning of an investigation until the time the convict has served the sentence and it includes ICTY and ICTR precedents Elements of War Crimes under the Rome Statute of the International Criminal Court Knut Dörmann,2003-03-27 The Elements of War Crimes will assist the International Criminal Court ICC in the interpretation and application of the articles of the ICC Statute defining the crimes under its jurisdiction These will not only be necessary for the future work of the ICC in interpreting the crimes provisions but also for national courts which have primary responsibility in the prosecution of international crimes under the Rome Statute This commentary provides a critical insight into the travaux pr paratoires of the Preparatory Commission leading to the adoption of the elements of war crimes It contains an analysis of existing case law related to each war crime in the Statute It will provide States judges prosecutors and international and national lawyers with key background information to implement international humanitarian law in future cases dealing with war crimes under the ICC A unique indispensable tool for prosecuting and defense lawyers working in international criminal law International Criminal Court: A Commentary on the Rome Statute ,2016 **The Rome Statute of the International Criminal Court** Antonio Cassese,Paola Gaeta,John R.W.D. Jones,2002 The International Criminal Court and National Jurisdictions Mauro Politi,Federica Gioia,2008 This latest addition to the Trento Conference Series brings

together a wide range of leading scholars diplomats and representatives of international organizations to address issues at the heart of the substantive and procedural law of the Court Examining aspects of national implementation and international cooperation the book discusses a broad range of topics and provides an important contribution to ongoing debates surrounding International Criminal Law and the International Criminal Court

The International Criminal Tribunal for the Former Yugoslavia 2001 André Klip,2005

The Rome Statute of the International Criminal Court Antonio Cassese,2002 III Elements of crimes *Elements of War Crimes Under the Rome Statute of the International Criminal Court* Knut Dörmann,Louise Doswald-Beck,Robert Kolb,2008 *The Law and Practice of the International Criminal Court* Carsten Stahn,2015-05-28 Some parts of this publication are open access available under the terms of a CC BY NC ND 4 0 International licence Chapters 2 4 10 47 and 49 are offered as a free PDF download from OUP and selected open access locations The International Criminal Court is a controversial and important body within international law one that is significantly growing in importance particularly as other international criminal tribunals close down After a decade of Court practice this book takes stock of the activities of the International Criminal Court identifying the key issues in need of re thinking or potential reform It provides a systematic and in depth thematic account of the law and practice of the Court including its changes context the challenges it faces and its overall contribution to international criminal law The book is written by over forty leading practitioners and scholars from both inside and outside the Court They provide an unparalleled insight into the Court as an institution its jurisprudence the impact of its activities and its future development The work addresses the ways in which the practice of the International Criminal Court has emerged and identifies ways in which this practice could be refined or improved in future cases The book is organised along six key themes i the context of International Criminal Court investigations and prosecutions ii the relationship of the Court to domestic jurisdictions iii prosecutorial policy and practice iv the applicable law v fairness and expeditiousness of proceedings and vi its impact and lessons learned It shows the ways in which the Court has offered fresh perspectives on the theorization and conception of crimes charges and individual criminal responsibility It examines the procedural framework of the Court including the functioning of different stages of proceedings The Court s decisions have significant repercussions on domestic law criminal theory and the law of other international courts and tribunals In this context the book assesses the extent to which specific approaches and assumptions both positive and negative regarding the potential impact of the Court are in need of re thinking This book will be essential reading for practitioners scholars and students of international criminal law

The Legal Regime of the International Criminal Court José Doria,Hans-Peter Gasser,M. Cherif Bassiouni,2009 This impressive and unique collection of essays covers important aspects of the legal regime of the International Criminal Court ICC The volume begins with an analysis of the historical development of the ICC the progressive development of international humanitarian and international criminal law by the ad hoc Tribunals and the work of mixed national international jurisdictions The legal

and institutional basis of the ICC is then dealt with in detail including the organs of the ICC war crimes crimes against humanity and crimes of aggression modes of liability before the ICC and defences before the ICC Part III focuses on the court at work including its procedural rules criminal proceedings at the ICC penalties and appeal and revision procedures Part IV deals with the relationship of the ICC with states and international organizations The contributors are established scholars in the field of international criminal and humanitarian law many of whom are practitioners in the various tribunals

The Rome Statute and Domestic Legal Orders Claus Kreß,2005 **Elements of War Crimes Under the Rome Statute of the International Criminal Court** Knut Dörmann,Louise Doswald-Beck,Robert Kolb,2003 **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

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