

Redress for Victims of Crimes Under International Law

Ilaria Bottiglierio



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Eva Dwertmann



Redress For Victims Of Crimes Under International Law:

Redress for Victims of Crimes under International Law Ilaria Bottigliero, 2004-05-01 Paradoxically victims of ordinary crimes such as fraud theft or assault can obtain redress through regular domestic channels whereas victims of such major atrocities as genocide war crimes or crimes against humanity have been left mostly uncompensated Until recently a pervasive climate of impunity for international crimes relegated victims to the political and legal periphery Over the last few years however the international community has begun to recognize that just as crimes under international law cannot be considered ordinary crimes victims of these crimes cannot be considered ordinary victims In this book Dr Bottigliero explores the origins evolution and practice relating to victims redress in domestic law regional and universal human rights regimes humanitarian law the law of State responsibility United Nations practice and international criminal law including the International Criminal Court She argues that the international community must now move beyond incomplete and fragmented approaches towards a much more comprehensive redress regime for victims of crimes under international law and she recommends means by which to enhance the coherence effectiveness and fairness of victims redress

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Reparations and Victim Support in the International Criminal Court Conor McCarthy, 2012-04-12 Explores the ICC s regime of victim redress including both its reparations regime and the work of the ICC Trust Fund

Practices of Reparations in International Criminal Justice Christoph Sperfeldt, 2022-07-07 Combining interdisciplinary techniques with original ethnographic fieldwork Christoph Sperfeldt examines the first attempts of international criminal courts to provide reparations to victims of mass atrocities The observations focus on two case studies the Extraordinary Chambers in the Courts of Cambodia where Sperfeldt spent over ten years working at and around and the International Criminal Court s interventions in the Democratic Republic of Congo Enriched with first hand observations and an awareness of contextual dynamics this book directs attention to the social life of

reparations that too often get lost in formal accounts of law and its institutions Sperfeldt shows that reparations are constituted and contested through a range of practices that produce change and give meaning to reparations Appreciating the nature and effects of these practices provides us with a deeper understanding of the discrepancies that exist between the reparations ideal and how it functions imperfectly in different contexts

The Reparation System of the International Criminal Court Eva Dwertmann, 2010-03-02 When the Rome Statute for the International Criminal Court was adopted in 1998 one of its great innovations was that victims were granted an active role in the proceedings In its early jurisprudence on victims rights the International Criminal Court stated that the success of the Court is to some extent linked to the success of its reparation system This book is among the first to focus on the International Criminal Court s power to order reparations to victims It provides a comprehensive analysis of the legal framework of the reparation system taking into account relevant Court decisions Possibilities for its implementation are drawn up providing potential solutions for its multiple challenges including the distinct asymmetry between the individualized responsibility to provide reparations and the collective nature of the crimes and its consequences With its practical approach this book is particularly valuable for practitioners but also for students and researchers

International Prosecution of Human Rights Crimes Wolfgang Kaleck, Michael Ratner, Tobias Singelstein, Peter Weiss, 2006-11-22 1 In his separate opinion in the Nuclear Weapons case Judge Mohammed Bedoui then the President of the International Court of Justice called nuclear weapons the absolute evil There are a few other things which merit being called solutely evil They are the predicates of the International Criminal Court and of various domestic laws patterned on the Rome Statute war crimes crimes against humanity genocide and aggression A conference organized by the Berlin based Republikanischer Anwaltinnen und Anwalteverein Republican Lawyers Association and the New York based Center for Constitutional Rights was held in Berlin in June 2005 under the title Globalverfassung versus Realpolitik Global Constitution versus Realpolitik It dealt with the tension between these universally accepted norms and the actual practice of governments in an age characterized by the ill defined concept of the war on terror This book is the outcome of that conference It is intended for a wide variety of readers academics all kinds of jurists as well as human rights activists who sometimes know more about the applicable law than the legal experts It owes its existence to a paradox On the one hand new structures for dealing with the most serious international crimes are being put into place

Realizing Reparative Justice for International Crimes Miriam Cohen, 2020-07-02 Provides an original approach to the emerging practice of reparations for international crimes and a fresh analysis of the recent jurisprudence at the International Criminal Court

International Criminal Procedure Göran Sluiter, Sergey Vasiliev, 2013-03-21 The ambitious aim of the work is to create a guiding framework for international criminal procedural law and practices in the future As explained by the working groups the overarching objective of the project is to assist the challenge of delivering fair but also effective trials

FOREWORD

The Legal Regime of the International Criminal Court Jose Doria, Hans-Peter Gasser, M.

Cherif Bassiouni, 2009-06-24 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

Research Handbook on the International Penal System Róisín Mulgrew, Denis Abels, 2016-05-27 Drawing on the expertise and experience of contributors from a wide range of academic professional and judicial backgrounds the Research Handbook on the International Penal System critically analyses the laws policies and practices that govern detention punishment and the enforcement of sentences in the international criminal justice context Comprehensive and innovative it examines the operation of the international penal system covering pertinent issues such as non custodial sanctions monitoring of conditions of detention the protection of prisoners under international law and the transfer of prisoners These aspects are presented in a logical order linking up with the chronological sequence of the international criminal justice process Far reaching this Handbook also explores broader normative questions related to contemporary human rights law transitional and restorative justice and victim redress before exploring contemporary and alternative mechanisms for punishing and overseeing punishment and possible avenues for development This up to date assessment will provide valuable insights for researchers and students of international criminal law and justice comparative penal law penology prisoners rights and transitional and restorative justice Its recommendations for development will also interest international and national officials working in criminal law and justice Contributors D Abels K Ambos O Bekou S D Ascoli T A Doherty M A Drumbl S A Fisher B Hol A Jones N Kiefer C McCarthy L McGregor R Mulgrew J C Nemitz M M Penrose G Sluiter S Snacken A Trotter H van der Wilt J van Wijk D van Zyl Smit R Young

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