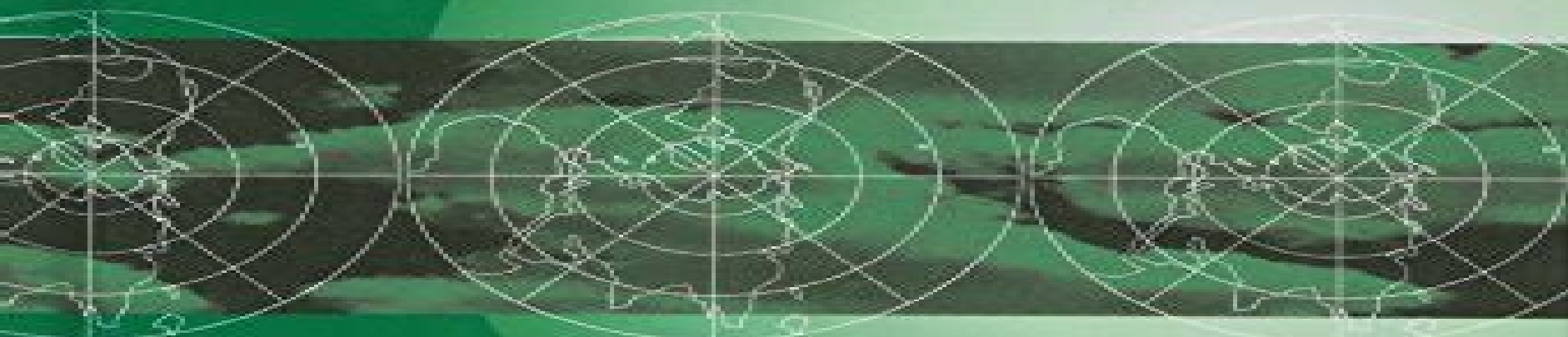


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CAMBRIDGE STUDIES IN INTERNATIONAL AND COMPARATIVE LAW

Prosecuting International Crimes

Selectivity and the
International Criminal Law Regime



ROBERT CRYER

Prosecuting International Crimes

Chacha Murungu, Japhet Biegon



Prosecuting International Crimes:

Prosecuting International Crimes in Africa Chacha Murungu, Japhet Biegon, 2011 Prosecuting international crimes in Africa contributes to the understanding of international criminal justice in Africa The books argues for the rule of law respect for human rights and the eradication of a culture of impunity in Africa it is a product of peer reviewed contributions from graduates of the Centre for Human Rights Faculty of Law University of Pretoria where the Master s degree programme in Human Rights and Democratisation in Africa has been presented since 2000 Back cover Prosecuting International Crimes: A Multidisciplinary Approach Bartłomiej Krzan, 2016-07-11 The volume edited by Bartłomiej Krzan offers different perspectives on the prosecution of international crimes The analyses contained therein reflect different backgrounds mainly legal combining several disciplines and making it a multidisciplinary study The main but definitely not the exclusive point of reference is that of international law In addition other perspectives those of legal history or sociology of law and obviously the one of criminal law both substantive and procedural provide useful alternatives or in most occasions complementary approaches to the examination of the prosecution of international crimes The book combines different views backgrounds and underlying assumptions But gathered together they it is to be hoped shed some additional useful light that might be helpful for identifying new dimensions of the reaction judicial or other towards international crimes Contributors W adys aw Czapli ski Patrycja Grzebyk Witold Jakimko Wojciech Jasi ski David Kohout Karolina Kremens Bartłomiej Krzan Krzysztof Mas o Neringa Mickevi i t Robert Uerpmann Wittzack Regina Valutyt Karolina Wierczy ska Joachim Wolf Loammi Wolf and Justinas ilinskas Prosecuting International Crimes Robert Cryer, 2005 This book concentrates on the legitimacy of the international criminal law regime It explains the development of the system of international criminal law enforcement in historical context with regard to international relations theory *Prosecuting International Crimes* Hassan B. Jallow, 2019 The book reflects the long association of the author with the process of international criminal justice particularly as Chief Prosecutor touching on his mandate as such identifying the challenges in the prosecution of international crimes and the measures and strategies fashioned to meet those challenges It covers as well an assessment of the legacy of the UNICTR and a glimpse into the future of international criminal justice The book highlights recommended practices in the administration of international criminal justice which should be of value to practitioners and decision makers in advancing the cause of justice and accountability and in combating impunity **Prosecuting International Crimes** Robert Cryer, 2005-06-30 This 2005 book discusses the legitimacy of the international criminal law regime It explains the development of the system of international criminal law enforcement in historical context from antiquity through the Nuremberg and Tokyo Trials to modern day prosecutions of atrocities in the former Yugoslavia Rwanda and Sierra Leone The modern regime of prosecution of international crimes is evaluated with regard to international relations theory The book then subjects that regime to critique on the basis of legitimacy and the rule of law in particular selective enforcement not only in relation to who is

prosecuted but also the definitions of crimes and principles of liability used when people are prosecuted It concludes that although selective enforcement is not as powerful as a critique of international criminal law as it was previously the creation of the International Criminal Court may also have narrowed the substantive rules of international criminal law **Old Evidence and Core International Crimes** Morten Bergsmo, CHEAH Wui Ling, 2012-11-19 It is often only years after the commission of core international crimes that prosecutions and investigations take place This anthology addresses challenges associated with such delayed justice the location treatment and assessment of old evidence Part I considers the topic from the perspective of different actors involved in the prosecution of core international crimes at the domestic and international levels Part II comprises chapters focusing on the efforts of the Bangladeshi authorities to investigate and prosecute international crimes perpetrated during the 1971 war This book brings together experienced judges prosecutors lawyers scientists and commentators who have dealt with questions of old evidence in their work Among the contributors are Shafique Ahmed Andrew Cayley David Cohen Seena Fazel Siri S Frigaard M Amir Ul Islam Md Shahinur Islam Agnieszka Klonowiecka Milart Alphons M M Orie Stephen J Rapp Patrick J Treanor Otto Triffterer and Martin Witteveen The chapters describe the challenges encountered in practice and suggest concrete solutions that can be tailored to fit the circumstances of the case or country By providing a comprehensive analysis of the relevant problems in this area and a variety of views this anthology will serve as an invaluable resource for criminal justice actors and researchers seeking to address questions of old evidence **Prosecuting International Crimes and Human Rights Abuses Committed Against Children** Sonja C. Grover, 2009-10-21 This casebook addresses selected precedent setting rulings of various international human rights and international criminal courts with a focus on the child victims of international crimes and human rights abuses The cases are analysed from the children s human rights perspective and the question is examined as to what extent the aforementioned courts are according these children justice The scope of the book is thus limited to the consideration of these representative important cases concerning violations of a international human rights and humanitarian law and b international criminal law involving child victims and the judicial remedies accorded or denied these victims and their family members This is not in any way to diminish the suffering and importance of the adult victims of violations of fundamental human rights and grave international crimes Rather the book is intended to deal with the restricted and largely neglected topic of to what extent international courts are attending to the implications of there being child victims with respect to the courts addressing and handling of among other matters the following a the con rmation of charges relating to child speci c international crimes i e recruitment of child soldiers forced child marriage etc *Justice Beyond the Hague* David A. Kaye, Council on Foreign Relations, 2011 When the International Criminal Tribunal for the former Yugoslavia ICTY was established more than twenty years ago the international community had little experience prosecuting the perpetrators of genocide war crimes and other atrocities Unfortunately there has been ample opportunity to build expertise in the intervening decades ad hoc tribunals have

been established to address past crimes in Cambodia and Sierra Leone and a formal International Criminal Tribunal for Rwanda ICTR was convened in the aftermath of Rwanda's 1994 genocide. Since 2002 the International Criminal Court ICC has assumed responsibility for new prosecutions pursuing war criminals in countries unable or unwilling to bring them to justice domestically. Yet after more than two decades of experience the limits of these courts' capabilities are becoming clear. While they have brought some senior leaders to justice the scope of the courts' budgets and their enquiries can never reach all or even most perpetrators of atrocities. They are physically far removed from the scenes of the crimes they are prosecuting cannot compel evidence or conduct independent investigations and are vulnerable to changes in funding and international political support. To overcome these and other difficulties the international community must place greater emphasis on strengthening the national justice systems of the countries where atrocities have occurred. In this Council Special Report David Kaye examines existing international justice mechanisms analyzes how they have succeeded and where they have failed and explains what reforms national legal systems will require to secure just and peaceful outcomes. Cognizant of the myriad individual challenges facing countries experiencing or emerging from violent conflict Kaye nevertheless identifies a core set of common needs: political pressure on governments reluctant to prosecute perpetrators; assistance in building legal frameworks and training legal officials; support for investigations including forensic analysis and security sector reform; and creating belief in the justice system among the local population. To these ends Kaye outlines several recommendations for U.S. policymakers and their governmental and nongovernmental partners worldwide. Beginning in the United States Kaye argues that Washington should expand diplomatic and financial support for national justice systems and appoint a senior official to oversee initiatives from the State Department, Justice Department, USAID and other agencies. Abroad he calls for the secretary of state to organize a donor conference to agree on funding priorities and responsibilities for the international community and to establish a coordinating body to ensure that support for national level justice systems is properly coordinated and informed by best practices. *Justice Beyond The Hague* provides important insights into the strengths and limitations of current international justice mechanisms. It makes a clear case for increasing support to national legal systems and outlines a variety of ways that the U.S. government can improve and coordinate its aid with others. While there will always be a place for international courts in countries that cannot or will not prosecute perpetrators themselves this Council Special Report successfully argues that domestic systems can and should play a more meaningful role.

The Prosecution of International Crimes Roger Stenson Clark, Madeleine Sann, 2003-08-01. The post World War Two period has witnessed numerous armed conflicts characterized by extensive violations of relevant obligatory international norms. Responding to these events the United Nations General Assembly created a permanent international court in 2003 with jurisdiction over selected international crimes. The International Tribunal for the Former Yugoslavia was a precursor to this permanent court. It was established for the purpose of prosecuting persons responsible for serious violations of international humanitarian law.

committed in the territory of the former Yugoslavia As a precedent for what we may expect in the future it deserves special attention from a historical political and especially an international law point of view The Prosecution of International Crimes comprehensively examines the creation mandate and challenges of the International Tribunal for the Former Yugoslavia Derived from a special issue of Criminal Law Forum An International Journal a peer review journal dedicated to the advancement of criminal law theory practice and reform through out the world it is now available in paperback Mark Osiel is professor of law at the University of Iowa He is the author of Mass Atrocity Collective Memory and the Law The Prosecution of International Crimes Ben Brandon, Max Du Plessis, 2005 With the coming into force of the Rome Statute of the International Criminal Court ICC on 1 July 2002 a new era of international criminal justice has begun For the first time a permanent international court has been established with jurisdiction to try individuals for the most serious crimes genocide crimes against humanity and war crimes But the impact of the ICC goes well beyond the international stage The Court is intended to complement national jurisdictions and will only take on cases when States with jurisdiction over the relevant crimes are either unwilling or unable to conduct the prosecution Thus the vast majority of cases will be investigated and prosecuted by domestic authorities in domestic courts This has significant ramifications for the police to investigate prosecute defend or adjudicate on such matters as well as render various types of assistance to the ICC This Guide is intended to assist domestic authorities within Commonwealth countries in meeting this challenge by providing practical information about the Court the relevant principles of international law and the new laws adopted in each State Part I takes the reader through the structure of the ICC issues relating to jurisdiction an outline of the crimes a description of the co operation regime and general principles of international humanitarian law Part II looks at national legislation that has been adopted to date It is hoped that this publication will serve as an important guide for legal professionals and all those working in the criminal justice system and enable them to become familiar with the practical realities involved in ending impunity for those who have committed the gravest of international crimes

Enjoying the Beat of Appearance: An Psychological Symphony within **Prosecuting International Crimes**

In some sort of used by monitors and the ceaseless chatter of instantaneous transmission, the melodic splendor and mental symphony produced by the written term often fade into the backdrop, eclipsed by the relentless sound and disturbances that permeate our lives. However, set within the pages of **Prosecuting International Crimes** a stunning literary value filled with natural emotions, lies an immersive symphony waiting to be embraced. Constructed by an elegant musician of language, this charming masterpiece conducts readers on a mental journey, well unraveling the hidden tunes and profound influence resonating within each carefully crafted phrase. Within the depths of this poignant examination, we can discover the book is central harmonies, analyze its enthralling writing model, and surrender ourselves to the profound resonance that echoes in the depths of readers souls.

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