

principles of international criminal law

Principles of International Criminal Law: Foundations of Global Justice

principles of international criminal law form the backbone of a legal framework that seeks to hold individuals accountable for the most serious offenses that affect the international community. These principles are not just abstract rules; they embody the collective commitment of nations to ensure justice transcends borders, aiming to deter crimes such as genocide, war crimes, crimes against humanity, and aggression. Understanding these foundational tenets is essential for anyone interested in how international justice operates and evolves.

What Are the Principles of International Criminal Law?

At its core, international criminal law regulates the prosecution and punishment of crimes that shock the conscience of humanity. Unlike domestic law, which governs behavior within a single country, international criminal law addresses offenses that have global implications. The principles guiding this legal field ensure that justice is served fairly, consistently, and with respect for human rights.

These principles include legality, individual criminal responsibility, complementarity, non-retroactivity, and fair trial rights, among others. Each principle plays a vital role in balancing state sovereignty with the need for universal accountability.

Legality: No Crime Without Law

One of the fundamental pillars is the principle of legality, often summarized by the Latin phrase **nullum crimen sine lege** — no crime without law. This means that an individual cannot be prosecuted for an act that was not defined as a criminal offense under international law at the time it was committed. This principle safeguards against arbitrary prosecutions and ensures fairness by requiring clear legal definitions.

In practice, this restricts courts from applying laws retroactively and demands precision in how international crimes are codified. For example, the definitions of genocide or crimes against humanity are meticulously outlined in treaties and statutes, such as the Rome Statute of the International Criminal Court (ICC).

Individual Criminal Responsibility

Unlike traditional international law, which often focused on state responsibility, international criminal law emphasizes that individuals—not states—can be held personally accountable for international crimes. This principle reflects a shift towards ensuring that perpetrators, regardless of rank or position, face justice.

This means that political leaders, military commanders, and even civilians can face prosecution if evidence shows their involvement in criminal acts. The concept also covers direct perpetrators and

those who aid or abet crimes, reinforcing the idea that no one is above the law.

Complementarity: Respecting National Jurisdictions

The principle of complementarity establishes that international courts act only when national jurisdictions are unwilling or unable to prosecute serious crimes. This respects state sovereignty by encouraging countries to take the lead in investigating and prosecuting offenses within their borders.

For instance, the ICC steps in only when domestic courts fail to act genuinely. This approach promotes cooperation between international institutions and national legal systems, strengthening the global fight against impunity.

Key Principles Ensuring Fairness and Justice

International criminal law is not only about punishing offenders but also about ensuring that trials are conducted fairly, protecting the rights of the accused, and maintaining the integrity of the judicial process.

Presumption of Innocence and Fair Trial Rights

Fundamental human rights principles are deeply embedded in international criminal proceedings. Every accused person is presumed innocent until proven guilty beyond a reasonable doubt. This safeguards against wrongful convictions and underscores the importance of due process.

Fair trial rights include the right to legal counsel, protection against self-incrimination, the right to present evidence, and the right to confront witnesses. These protections mirror those found in many domestic legal systems but are crucial in the international context, where proceedings often involve complex evidence and politically sensitive cases.

Non-Retroactivity of Criminal Law

Closely related to legality, the non-retroactivity principle ensures that individuals cannot be prosecuted for actions that were not criminal offenses under international law at the time they were committed. This prevents ex post facto laws and protects legal certainty.

However, international criminal law recognizes that some crimes, such as genocide and war crimes, have been universally condemned for decades, making their prosecution consistent with this principle.

Prohibition of Double Jeopardy (Ne Bis in Idem)

This principle prevents an individual from being tried twice for the same crime. In the international context, it means that once a person has been tried and acquitted or convicted by a competent court, they should not face repeated prosecutions for the same offense.

The Rome Statute incorporates this principle but allows for exceptions in certain circumstances, such as when a state is unwilling or unable to carry out genuine proceedings.

Specific Doctrines Within International Criminal Law

To fully grasp the principles of international criminal law, it's helpful to explore some specific doctrines that guide how liability is attributed and how justice is implemented.

Command Responsibility

A distinctive feature of international criminal law is the doctrine of command responsibility. This holds military and civilian superiors liable for crimes committed by their subordinates if they knew or should have known about the crimes and failed to prevent or punish them.

This principle is critical in addressing complex hierarchies in armed conflicts and ensuring that those in positions of authority cannot evade accountability simply by ordering crimes indirectly or turning a blind eye.

Joint Criminal Enterprise

Another important concept is the joint criminal enterprise (JCE), which allows for the prosecution of individuals who participate in a collective plan to commit crimes, even if they did not personally carry out the criminal act.

JCE reflects the reality that many international crimes are committed through coordinated efforts, and it ensures that all participants who contribute to such crimes can be held responsible.

Universal Jurisdiction

Universal jurisdiction allows states to prosecute certain serious international crimes regardless of where they were committed or the nationality of the accused or victims. This principle helps close jurisdictional gaps and supports the international community's responsibility to fight impunity globally.

Though controversial and not universally accepted, universal jurisdiction has been invoked in cases involving torture, piracy, and war crimes, reinforcing the idea that some offenses are so egregious they concern all humanity.

Challenges and Evolving Nature of International Criminal Law

While the principles of international criminal law provide a robust framework for justice, their application faces significant challenges. Issues such as political interference, limited enforcement mechanisms, and difficulties in gathering evidence in conflict zones complicate prosecutions.

Moreover, the field is dynamic. New crimes, like cyber warfare attacks or terrorist acts, push the boundaries of existing principles, requiring ongoing legal development. International courts and tribunals continuously interpret and refine these principles to adapt to emerging realities.

Balancing Sovereignty and International Justice

One of the perennial tensions in international criminal law is balancing state sovereignty with the need for international intervention. The principles aim to respect national legal systems while ensuring accountability, but this balance is delicate.

States may resist international prosecutions, citing sovereignty or political concerns, which can hinder the enforcement of international criminal law. Diplomacy, dialogue, and strengthening domestic legal capacities are vital strategies to resolve these tensions.

The Role of International Institutions

Institutions like the International Criminal Court, ad hoc tribunals (e.g., for Rwanda and the former Yugoslavia), and hybrid courts play crucial roles in applying the principles of international criminal law. They set precedents, develop jurisprudence, and contribute to a growing body of international criminal law that shapes global justice.

Their work illustrates how principles translate into practice, highlighting successes and areas needing reform or greater international cooperation.

Exploring the principles of international criminal law reveals a complex yet inspiring legal landscape dedicated to ensuring that the gravest offenses receive due attention and that perpetrators face justice no matter where they act. These principles form the legal and moral compass guiding the international community toward a more just world.

Frequently Asked Questions

What are the fundamental principles of international criminal law?

The fundamental principles include legality (*nullum crimen sine lege*), individual criminal responsibility, complementarity, fair trial rights, and the prohibition of retroactive application of

criminal law.

How does the principle of complementarity function in international criminal law?

Complementarity means that international criminal courts, like the ICC, act only when national jurisdictions are unwilling or unable to prosecute crimes, ensuring respect for state sovereignty while preventing impunity.

What is the principle of legality in international criminal law?

The principle of legality requires that conduct must be defined as a crime by law before it is committed, ensuring no one is prosecuted under ex post facto laws or vague legal provisions.

Why is individual criminal responsibility a key principle in international criminal law?

Individual criminal responsibility holds that individuals, not states or organizations, are accountable for international crimes, reinforcing personal accountability and deterrence.

How are fair trial rights protected under international criminal law?

Fair trial rights ensure accused persons receive impartial hearings, including the presumption of innocence, right to counsel, right to present evidence, and protection against self-incrimination.

What role does the principle of jurisdiction play in international criminal law?

Jurisdiction defines the authority of international courts to prosecute crimes, typically based on territoriality, nationality, or the nature of the crime, ensuring legal clarity and legitimacy.

How does international criminal law address the prohibition of retroactivity?

International criminal law prohibits retroactive punishment by ensuring individuals are only prosecuted for acts that were criminal under international law at the time they were committed.

In what ways do principles of international criminal law promote global justice?

These principles establish universal standards for accountability, prevent impunity for grave crimes, protect victims' rights, and support peace and reconciliation by ensuring that perpetrators are fairly prosecuted.

Additional Resources

Principles of International Criminal Law: A Comprehensive Analysis

Principles of international criminal law constitute the cornerstone of a legal framework that governs the prosecution and adjudication of crimes that transcend national borders. These principles are essential for maintaining global justice, accountability, and the rule of law in the face of atrocities such as genocide, war crimes, crimes against humanity, and aggression. As the international community continues to grapple with complex issues arising from conflicts and human rights violations, understanding the fundamental tenets of international criminal law is more crucial than ever. This article delves into the core principles shaping this legal discipline, highlighting their significance, evolution, and challenges within the global judicial landscape.

Foundations of International Criminal Law

International criminal law emerged prominently in the aftermath of World War II, particularly with the establishment of the Nuremberg and Tokyo tribunals. These historic milestones laid the groundwork for a system that holds individuals—not just states—accountable for grave offenses under international law. At its core, the principles of international criminal law seek to balance the interests of justice, sovereignty, and human rights.

The legal framework is primarily codified through multilateral treaties, customary international law, and judicial decisions from international courts such as the International Criminal Court (ICC). The fundamental objective is to prevent impunity for perpetrators of the most serious crimes that concern the international community as a whole.

Key Principles Governing International Criminal Law

Several principles underpin the effective functioning of international criminal law. These are recognized globally and reflected in various legal instruments and court rulings.

- **Legality (Nullum Crimen Sine Lege):** This principle asserts that no individual can be prosecuted for an act that was not criminalized at the time it was committed. It safeguards against ex post facto laws and ensures legal predictability.
- **Individual Criminal Responsibility:** Unlike traditional international law that primarily addresses states, international criminal law holds natural persons accountable for crimes such as genocide or war crimes, regardless of their rank or official capacity.
- **Complementarity:** Central to the ICC's mandate, this principle prioritizes national jurisdictions for prosecution, intervening only when states are unwilling or genuinely unable to carry out investigations or trials.
- **Fair Trial Guarantees:** Upholding the rights of the accused, including the presumption of innocence, the right to defense, and impartial tribunal provisions, is crucial for maintaining legitimacy and justice.

- **Non-Retroactivity:** Closely linked to legality, this principle ensures that individuals are not punished under criminal laws that did not exist at the time of the offense.
- **Command Responsibility:** This tenet holds military and civilian superiors liable for crimes committed by subordinates if they knew or should have known about the acts and failed to prevent or punish them.
- **Double Jeopardy (Ne Bis In Idem):** Protects individuals from being tried twice for the same crime in the same jurisdiction, though the application may differ between national and international courts.

The Role of International Tribunals and Courts

The enforcement of international criminal law relies heavily on judicial bodies designed to apply these principles impartially. The International Criminal Court, ad hoc tribunals such as the International Criminal Tribunal for the former Yugoslavia (ICTY), and hybrid courts like the Special Court for Sierra Leone exemplify the mechanisms through which justice is pursued.

Comparative Features of International Criminal Courts

Each institution operates under a unique mandate and jurisdictional scope, yet all adhere to the fundamental principles of international criminal law.

1. **International Criminal Court (ICC):** Established by the Rome Statute in 2002, the ICC is a permanent court with a broad mandate covering genocide, crimes against humanity, war crimes, and the crime of aggression. Its complementarity principle emphasizes cooperation with national jurisdictions.
2. **Ad Hoc Tribunals:** Created for specific conflicts, such as the ICTY and the ICTR (International Criminal Tribunal for Rwanda), these courts have helped develop jurisprudence on command responsibility and sexual violence as a war crime.
3. **Hybrid Courts:** Combining international and domestic law and personnel, hybrid courts address crimes in post-conflict societies, offering increased local legitimacy and tailored approaches.

Challenges in Applying Principles of International Criminal Law

Despite advances, applying international criminal law principles faces several hurdles that affect

effectiveness and perception.

Political Influence and Sovereignty Concerns

International criminal prosecutions often intersect with geopolitical interests. States may resist cooperation due to sovereignty concerns or political alliances, undermining enforcement. The ICC, for example, has faced criticism for perceived biases or selective justice, which can erode its legitimacy.

Complexities of Evidence and Jurisdiction

Gathering reliable evidence across borders, securing witness protection, and navigating jurisdictional overlaps complicate proceedings. The principle of complementarity requires careful assessment of national legal systems, which vary widely in capacity and fairness.

Balancing Justice and Peace

In post-conflict environments, the pursuit of justice must be weighed against the need for reconciliation and stability. Sometimes, strict adherence to international criminal law principles may clash with peace negotiation efforts, raising ethical and practical dilemmas.

Evolution and Future Directions

The principles of international criminal law are dynamic, evolving in response to emerging challenges and societal changes. Recent developments include expanding recognition of sexual and gender-based violence as prosecutable offenses and increasing focus on environmental crimes linked to armed conflict.

Technological advancements also influence the field, with digital evidence and cyber warfare introducing new complexities. Moreover, debates continue over expanding jurisdiction, improving victim participation, and enhancing accountability mechanisms.

The integration of restorative justice approaches alongside retributive models signals a shift toward holistic frameworks that address the needs of victims and societies, not just the punishment of offenders.

Understanding and upholding the principles of international criminal law remain vital as the international community strives to deter impunity and uphold human dignity. These principles serve not only as legal standards but as moral imperatives guiding global efforts toward justice in an increasingly interconnected world.

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Gerhard Werle, Florian Jessberger, 2014 Principles of International Criminal Law is one of the leading textbooks in the field. This third edition builds on the highly-successful work of the previous editions, setting out the general principles governing international crimes as well as the fundamentals of both substantive and procedural international criminal law.

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Gerhard Werle, Florian Jeßberger, 2020-10-09 Principles of International Criminal Law is one of the most influential textbooks in the field of international criminal justice. This fourth edition builds on the highly-successful work of the previous editions, setting out the general principles governing international crimes as well as the fundamentals of both substantive and procedural international criminal law. It provides a detailed understanding of the sources and evolution of international criminal law, demonstrating how it has developed, and how its application has changed. The book assesses in detail the four key international crimes as defined by the statute of the International Criminal Court: genocide, crimes against humanity, war crimes, and the crime of aggression. The new edition revises and updates the work with developments in international criminal justice since 2014. It includes substantial new material on critical perspectives on international criminal justice, the fragmentation of international criminal law, new war crimes of prohibited means of warfare, and the prosecution of crimes committed in Syria and Northern Iraq. The book retains its highly-acclaimed systematic approach and consistent methodology, making it essential reading for both students and scholars of international criminal law, as well as practitioners and judges working in the field.

principles of international criminal law: The Permanent International Criminal Court

Dominic McGoldrick, Peter Rowe, Eric Donnelly, 2004-03 The idea of an International Criminal Court has captured the international legal imagination for over a century. In 1998 it became a reality with the adoption of the Rome Statute. This book critically examines the fundamental legal and policy issues involved in the establishment and functioning of the Permanent International Criminal Court. Detailed consideration is given to the history of war crimes trials and their place in the system of international law, the legal and political significance of a permanent ICC, the legality and legitimacy of war crimes trials, the tensions and conflicts involved in negotiating the ICC Statute, the general principles of legality, the scope of defences, evidential dilemmas, the perspective of victims, the nature and scope of the offences within the ICC's jurisdiction - aggression, genocide, war crimes, crimes against humanity, questions of admissibility and theories of jurisdiction, the principle of complementarity, national implementation of the Statute in a range of jurisdictions, and national and international responses to the ICC. The expert contributors are drawn from a range of national jurisdictions - UK, Sweden, Canada, and Australia. The book blends detailed legal analysis with practical and policy perspectives and offers an authoritative complement to the extensive commentaries on the ICC Statute.

principles 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.

principles of international criminal law: Principles of Islamic International Criminal Law Farhad Malekian, 2011-06-22 While the system of international law is improving enormously and certain legal provisions are becoming an integral part of jus cogens norms, this body of law must be studied together with other systems which have basically been effective in its development. The principles of the rule of law must be evaluated collectively rather than selectively. In fact, most Islamic nations have ratified the ICC Statute. They have thereby contributed to the establishment of the pillars of morality, equality, peace and justice. At the same time, those pillars may be strengthened by means of an accurate interpretation of the principles of international criminal laws by all parties. The objective of these comparative philosophies is to examine their core principles, similarities and differences. The intention is to indicate that the variation in theories may not obstruct the legal implementation of international criminal law if their dimensions are judged objectively and with the noblest of motives towards mankind.

principles of international criminal law: International Criminal Law M. Cherif Bassiouni, 2008 Volume 1 deals with international crimes. It contains several significant contributions on the theoretical and doctrinal aspects of ICL which precede the five chapters addressing some of the major categories of international crimes. The first two chapters address: the sources and subjects of ICL and its substantive contents. The other five chapters address: Chapter 3: The Crime Against Peace and Aggression (The Crime Against Peace and Aggression: From its Origins to the ICC; The Crime of Aggression and the International Criminal Court); Chapter 4: War Crimes, Crimes Against Humanity & Genocide (Introduction to International Humanitarian Law; Penal Aspects of International Humanitarian Law; Non-International Armed Conflict and Guerilla Warfare; Mercenarism and Contracted Military Services; Customary International Law and Weapons Control; Genocide; Crimes Against Humanity; Overlaps, Gaps, and Ambiguities in Contemporary International Humanitarian Law, Genocide, and Crimes Against Humanity); Chapter 5: Crimes Against Fundamental Human Rights (Slavery, Slave-Related Practices, and Trafficking in Persons; Apartheid; International Prohibition of Torture; The Practice of Torture in the United States: September 11, 2001 to Present); Chapter 6: Crimes of Terror-Violence (International Terrorism; Kidnapping and Hostage Taking; Terrorism Financing; Piracy; International Maritime Navigation and Installations on the High Seas; International Civil Aviation); Chapter 7: Crimes Against Social Interest (International Control of Drugs; Challenges in the Development of International Criminal Law: The Negotiations of the United Nations Convention Against Transnational Organized Crime and the United Nations Convention Against Corruption; Transnational Organized Crime; Corruption of Foreign Public Officials; International Criminal Protection of Cultural Property; Criminalization of Environmental Protection).

principles of international criminal law: Principles of International Criminal Law Gerhard Werle, 2009 "Principles of International Criminal Law" was first published four years ago and has been well received. It has since appeared not only in a second German edition, but also in Spanish, Italian and Chinese. Rapid developments in the field have now made a new English edition necessary. The worldwide interest in international criminal law is strong and ever growing. This is shown by, among other things, the proliferation of publications on the subject in recent years. While the ad hoc Tribunals for the former Yugoslavia and Rwanda will soon cease operations, the International Criminal Court is just getting in gear: The Court's first decisions on important issues of procedural and substantive law are now available. Other forms of enforcing international criminal

law, such as “hybrid” courts, have also assumed greater importance; at the same time, international criminal law has come increasingly to be implemented and enforced in domestic criminal law. Today, there are many indications that international criminal law will continue to develop rather than stagnate or even suffer reversals.

principles of international criminal law: *General Principles of Law in the Decisions of International Criminal Courts and Tribunals* Fabián Raimondo, 2008 International lawyers usually disregard the vital functions that general principles of law may play in the decisions of international courts and tribunals. As far as international criminal law is concerned, general principles of law may be crucial to the outcome of an international trial, inter alia because the conviction of an accused in respect of a particular charge may depend on the existence of a given defence under this source. This volume examines the role that general principles of law have played in the decisions of international criminal courts and tribunals. In particular, it analyses their alleged a ~subsidiary (TM) nature, their process of determination, and their transposition from national legal systems into international law. It concludes that general principles of law have played a significant role in the decisions of international criminal courts and tribunals, not only by filling legal gaps, but also by being a fundamental means for the interpretation of legal rules and the enhancement of legal reasoning.

principles of international criminal law: *Dynamic Interpretation in International Criminal Law* Alexander Grabert, 2015-06-17 The interpretive process in International Criminal Law (>ICL<) is characterised by a conflict between the requirements for stability and change. On the one hand, ICL provides for the >criminal< responsibility of individuals. Thus, there is an enhanced requirement for legal certainty: According to the principle of legality, the addressee of the law must be able to identify the prohibited conduct in advance in order to be able to avoid criminal sanctions. On the other hand, however, ICL forms part of >international< law. Hence, it derives to some extent from international treaties. Whereas the forms of criminal conduct are continuously evolving, treaties are rather static instruments – they cannot be adapted to a changing environment within a short period of time. Thus, reality is developing at a pace that the law cannot always match. In consequence, there is a certain need to account for evolving circumstances within the framework of interpretation. The aim of this book is to review the consequences of this conflict for the interpretation of ICL. How can the conflicting requirements be brought into balance? Can substantive rules of ICL be interpreted in a >dynamic< fashion to the detriment of the accused without violating the principle of legality? How do international criminal courts and tribunals deal with this issue?

principles of international criminal law: *General Principles and the Coherence of International Law* Mads Andenas, Malgosia Fitzmaurice, Attila Tanzi, Jan Wouters, 2019-05-20 General Principles and the Coherence of International Law provides a collection of intellectually stimulating contributions from leading international lawyers to the discourse on the role of general principles in international law. Offering a comprehensive analysis of the doctrines, practices, and debates on general principles of law, the volume assesses their role in safeguarding the coherence of the international legal system. This important book addresses the relationship between principles of law and the other sources of international law, explores the interplay between principles of law and domestic and regional legal systems and the role of principles of law with regard to three specific regimes of international law: investment law, human rights law and environmental law.

principles of international criminal law: *Principles of Evidence in International Criminal Justice* Karim A. A. Khan, Caroline Buisman, Christopher Gosnell, 2010 Principles of Evidence in International Criminal Justice provides an overview of the procedure and practice concerning the admission and evaluation of evidence before the international criminal tribunals. The book is both descriptive and critical and its emphasis is on day-to-day practice, drawing on the experience of the Yugoslavia, Rwanda and Sierra Leone Tribunals. This book is an attempt to define and explain the core principles and rules that have developed at those ad hoc Tribunals; the rationale and origin of those rules; and to assess the suitability of those rules in the particular context of the International

Criminal Court which is still at its early stages. The ICC differs in structure from the ad hoc Tribunals and approaches the legal issues it has to resolve differently from its predecessors. The ICC is however confronted with many of the same questions. The book examines the differences between the ad hoc Tribunals and the ICC and seeks to offer insights as to how and in which circumstances the principles established over years of practice at the ICTY, ICTR and SCSL may serve as guidance to the ICC practitioners of today and the future. The contributors represent a cross-section of the practising international criminal bar, drawn from the ranks of the Bench, the Prosecution and the Defence and bringing with them different legal domestic cultures. Their mixed background underlines the recurring theme in this book which is the manner in which a legal culture has gradually taken shape in the international Tribunals, drawing on the various traditions and experiences of its participants.

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Gerhard Werle, 2012-02-29 "Principles of International Criminal Law" was first published four years ago and has been well received. It has since appeared not only in a second German edition, but also in Spanish, Italian and Chinese. Rapid developments in the field have now made a new English edition necessary. The worldwide interest in international criminal law is strong and ever growing. This is shown by, among other things, the proliferation of publications on the subject in recent years. While the ad hoc Tribunals for the former Yugoslavia and Rwanda will soon cease operations, the International Criminal Court is just getting in gear: The Court's first decisions on important issues of procedural and substantive law are now available. Other forms of enforcing international criminal law, such as "hybrid" courts, have also assumed greater importance; at the same time, international criminal law has come increasingly to be implemented and enforced in domestic criminal law. Today, there are many indications that international criminal law will continue to develop rather than stagnate or even suffer reversals.

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Borhan Uddin Khan, Md. Jahid Hossain Bhuiyan, 2022-03-16 This book examines the importance of international criminal law in promoting and defending human rights as well as its relationship with law and international politics. It highlights criminal cases at the International Criminal Tribunals for the former Yugoslavia and the International Criminal Tribunals for Rwanda, the International Criminal Court, and the International Crimes Tribunal of Bangladesh. The book considers human rights approaches to crimes from a theoretical and practical perspective, analyses various crimes under international law, and examines the application, implementation and enforcement of international criminal law. This book will serve as an important reference for students, teachers, scholars and lawyers specialising in international human rights, international criminal law and international humanitarian law.

principles of international criminal law: The Protective Principle of International Criminal Jurisdiction Iain Cameron, 1994 This work examines the role and function that the protective principle plays in international criminal law as a whole. It also analyzes the systems of criminal jurisdiction in Sweden and the United States. Shorter analyses are also made of the Danish, Norwegian and British systems.

principles of international criminal law: International Criminal Law: Cases and Commentary

Antonio Cassese, 2011-02-24 The decisions presented in the book are helpfully accompanied by short introductions setting out the circumstances of each case and brief commentaries on the importance of the decision and principles illustrated. --Book Jacket.

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Kari Takamaa, Martti Koskeniemi, 2000-08-01 Despite its Finnish initiative and pedigrees, The Finnish Yearbook of International Law does not restrict itself to purely Finnish' topics. On the contrary, it reflects the many connections in law between the national and the international. The Finnish Yearbook of International Law annually publishes articles of high quality dealing with all aspects of international law, including international law aspects of European law, with close attention to developments that affect Finland. Its offerings include: longer articles of a theoretical

nature, exploring new avenues and approaches; shorter polemics; commentaries on current international law developments; book reviews; and documentation of relevance to Finland's foreign relations not easily available elsewhere. The Finnish Yearbook offers a fertile ground for the expression of and reflection on the connections between Finnish law and international law as a whole and insight into the richness of this interaction.

principles of international criminal law: *Principles of International Criminal Law* Gerhard Werle, 2009-10-08 "Principles of International Criminal Law" was first published four years ago and has been well received. It has since appeared not only in a second German edition, but also in Spanish, Italian and Chinese. Rapid developments in the field have now made a new English edition necessary. The worldwide interest in international criminal law is strong and ever growing. This is shown by, among other things, the proliferation of publications on the subject in recent years. While the ad hoc Tribunals for the former Yugoslavia and Rwanda will soon cease operations, the International Criminal Court is just getting in gear: The Court's first decisions on important issues of procedural and substantive law are now available. Other forms of enforcing international criminal law, such as "hybrid" courts, have also assumed greater importance; at the same time, international criminal law has come increasingly to be implemented and enforced in domestic criminal law. Today, there are many indications that international criminal law will continue to develop rather than stagnate or even suffer reversals.

principles of international criminal law: *The Concept of Mens Rea in International Criminal Law* Mohamed Elewa Badar, 2013-01-30 The purpose of this book is to find a unified approach to the doctrine of mens rea in the sphere of international criminal law, based on an in-depth comparative analysis of different legal systems and the jurisprudence of international criminal tribunals since Nuremberg. Part I examines the concept of mens rea in common and continental legal systems, as well as its counterpart in Islamic Shari'a law. Part II looks at the jurisprudence of the post-Second World War trials, the work of the International Law Commission and the concept of genocidal intent in light of the travaux préparatoires of the 1948 Genocide Convention. Further chapters are devoted to a discussion of the boundaries of mens rea in the jurisprudence of the International Criminal Tribunals for the former Yugoslavia and Rwanda. The final chapter examines the definition of the mental element as provided for in Article 30 of the Statute of the International Criminal Court in light of the recent decisions delivered by the International Criminal Court. The study also examines the general principles that underlie the various approaches to the mental elements of crimes as well as the subjective element required in perpetration and participation in crimes and the interrelation between mistake of law and mistake of fact with the subjective element. With a Foreword by Professor William Schabas and an Epilogue by Professor Roger Clark From the Foreword by William Schabas Mohamed Elewa Badar has taken this complex landscape of mens rea at the international level and prepared a thorough, well-structured monograph. This book is destined to become an indispensable tool for lawyers and judges at the international tribunals. From the Epilogue by Professor Roger Clark This is the most comprehensive effort I have encountered pulling together across legal systems the 'general part' themes, especially about the 'mental element', found in confusing array in the common law, the civil law and Islamic law. In this endeavour, Dr Badar's researches have much to offer us.

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