

# War Crimes Genocide And Justice A Global History

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Unimaginable Atrocities - William Schabas  
2012-02-23

As international criminal justice has grown in prominence, so have the challenges facing it. This book discusses the unresolved questions and dilemmas confronted by international war crimes courts. These include the controversies surrounding prosecutorial policy, the tension between peace and justice, and accusations of victor's justice.

**The Holocaust** - David M. Crowe 2018-05-04  
This book details the history of the Jews, their two-millennia-old struggle with a larger Christian world, and the historical anti-Semitism that created the environment that helped pave the way for the Holocaust. It helps students develop the interpretative skills in the fields of history and law.

Crimes Against Humanity - Geoffrey Robertson  
2006-08-31

In this fresh edition of the book which has inspired the global justice movement, Geoffrey Robertson QC explains why we must hold political and military leaders accountable for genocide, torture and mass murder - the crimes against humanity that have disfigured the world. He shows how human rights standards can be enforced against cruel governments, armies and multi-national corporations. This seminal work now contains a critical perspective on recent events, such as the invasion of Iraq, the abuses at AbuGhraib, the killings in Darfur, the death of Milosevic and the trial of Saddam Hussein. Cautiously optimistic about ending impunity, but unsparingly critical of diplomats, politicians,

Bush lawyers and others who evade international rules, this third edition will provide further guidance to a movement which aims to make justice predominant in world affairs. 'A beacon of clear-sighted commitment to the humanitarian cause. . . impassioned. . . exemplary. . . seminal' Observer

*Arcs of Global Justice* - Margaret M. DeGuzman  
2018

M. Cherif Bassiouni / Human rights and international criminal justice in the twenty first century : the end of the post-WWII phase and the beginning of an uncertain new era -- Thomas A. Cromwell and Bruno Gélinas-Faucher, William Schabas / The Canadian Charter of rights and freedoms, and international human rights law -- Emmanuel Decaux / The International Convention on the Protection of All Persons from Enforced Disappearance, as a victim-oriented treaty -- Kathleen Cavanaugh and Joshua Castellino / The politics of sectarianism and its reflection in questions of international law & state formation in The Middle East -- Sandra L. Babcock / International law and the death penalty : a toothless tiger, or a meaningful force for change? -- Marc Bossuyt / The UN optional protocol on the abolition of the death penalty -- Christof Heyns and Thomas Probert and Tess Borden / The right to life and the progressive abolition of the death penalty -- Zhao Bingzhi / Progress and trend of the reform of the death penalty in China -- Margaret M. DeGuzman / Criminal law philosophy in international criminal law scholarship -- Frédéric Mégret / Is the ICC focusing too much on non-state actors? -- Shane

Darcy / The principle of legality at the crossroads of human rights and international criminal law -- Alain Pellet / Revisiting the sources of applicable law before the ICC -- Mireille Delmas-Marty / The ICC as a work in progress, for a world in process -- Carsten Stahn / Legacy in international criminal justice -- Andrew Clapham and Paola Gaeta / Torture by private actors and 'gold plating' the offence in national law : an exchange of emails in honour of William Schabas -- Hiran Abtahi and Philippa Webb / Secrets and surprises in the Travaux préparatoires of the genocide convention -- Jérémie Gilbert / Perspectives on cultural genocide : from criminal law to cultural diversity -- Beth Van Schaack / Crimes against humanity : repairing Title 18's blind spots -- Leila Nadya Sadat / A new global treaty on crimes against humanity : future prospects -- Mark A. Drumbl / Justice outside of criminal courtrooms and jailhouses -- Charles Chernor Jalloh / Toward greater synergy between courts and truth commissions in post-conflict contexts : lessons from Sierra Leone -- Geoffrey Nice and Nevenka Tromp / Criminal trial as a tool to control historical narrative -- Mary Ellen O'Connell / The arc toward justice and peace -- Adama Dieng / The maintenance of international peace and security through prevention of atrocity crimes : the question of co-operation between the UN and regional arrangements -- Emma Sandon / Law and film : curating rights cinema -- Wayne Jordash / The role of advocates in developing international law -- Diane Marie Amann / Bill the blogger

**International Criminal Justice** - George Andreopoulos 2014-09-02

In recent years, justice-related and human rights issues have figured more and more prominently on the international political agenda. This expansion of the justice space is a product of a growing demand for accountability in world politics. Whether the issue is addressing heinous crimes such as genocide, war crimes and crimes against humanity in situations of armed conflict, confronting the inability or reluctance of governments to protect their own populations, or responding to the challenges posed by transnational terrorism; the international community has witnessed the proliferation of institutions and mechanisms, as well as the

dynamic interplay between domestic and international processes, in the pursuit of justice-sensitive outcomes. International and hybrid tribunals, UN-led and domestic counter-terrorist initiatives, and the use of force for human protection purposes have demarcated the space within which ethical, political, and legal debates have unfolded in the quest for a more humane world order. The contributors of *International Criminal Justice: Theoretical and Legal Perspectives* address some of the most important issues and debates involved in this quest, and assess the merits of contending approaches to the promotion of international justice norms. This volume will contribute to the ongoing debate on the challenges, as well as opportunities, facing the justice agenda in its effort to shape developments in an increasingly interdependent world.

*Stay the Hand of Vengeance* - Gary Jonathan Bass 2014-04-28

International justice has become a crucial part of the ongoing political debates about the future of shattered societies like Bosnia, Kosovo, Rwanda, Cambodia, and Chile. Why do our governments sometimes display such striking idealism in the face of war crimes and atrocities abroad, and at other times cynically abandon the pursuit of international justice altogether? Why today does justice seem so slow to come for war crimes victims in the Balkans? In this book, Gary Bass offers an unprecedented look at the politics behind international war crimes tribunals, combining analysis with investigative reporting and a broad historical perspective. The Nuremberg trials powerfully demonstrated how effective war crimes tribunals can be. But there have been many other important tribunals that have not been as successful, and which have been largely left out of today's debates about international justice. This timely book brings them in, using primary documents to examine the aftermath of the Napoleonic Wars, World War I, the Armenian genocide, World War II, and the recent wars in the former Yugoslavia. Bass explains that bringing war criminals to justice can be a military ordeal, a source of endless legal frustration, as well as a diplomatic nightmare. The book takes readers behind the scenes to see vividly how leaders like David Lloyd George, Winston Churchill, Franklin

Roosevelt, and Bill Clinton have wrestled with these agonizing moral dilemmas. The book asks how law and international politics interact, and how power can be made to serve the cause of justice. Bass brings new archival research to bear on such events as the prosecution of the Armenian genocide, presenting surprising episodes that add to the historical record. His sections on the former Yugoslavia tell--with important new discoveries--the secret story of the politicking behind the prosecution of war crimes in Bosnia, drawing on interviews with senior White House officials, key diplomats, and chief prosecutors at the war crimes tribunal for the former Yugoslavia. Bass concludes that despite the obstacles, legalistic justice for war criminals is nonetheless worth pursuing. His arguments will interest anyone concerned about human rights and the pursuit of idealism in international politics.

*Hiding in Plain Sight* - Eric Stover 2017-07-09  
"Hiding in Plain Sight tells the story of the global effort to apprehend the world's most wanted fugitives. Beginning with the flight of an estimated thirty thousand Nazi war criminals after the Second World War, then moving on to the question of justice following the recent Balkan wars and the Rwandan genocide, and ending with the establishment of the International Criminal Court and America's pursuit of suspected terrorists in the aftermath of 9/11, the book explores the range of diplomatic and military strategies--both successful and unsuccessful--that states and international courts have adopted to pursue and capture war crimes suspects. It is a story fraught with broken promises, backroom politics, ethical dilemmas, and daring escapades--all in the name of international justice and human rights. In this exhaustively researched and compelling written work of political and judicial history, the authors argue that while the legal and operational regimes needed to apprehend and deliver suspected war criminals to justice are largely in place, the political will on the part of states to make arrests happen in a consistent and apolitical manner remains elusive. And until this situation is rectified, murderers will get away with murder, and torturers will retire with pensions"--Provided by publisher.

**War Crimes, Genocide, and Justice** - D.

Crowe 2014-01-15

In this sweeping, definitive work, historian David Crowe offers an unflinching account of the long and troubled history of genocide and war crimes. From ancient atrocities to more recent horrors, he traces their disturbing consistency but also the heroic efforts made to break seemingly intractable patterns of violence and retribution.

War Crimes - Aryeh Neier 1998

An internationally prominent activist for human rights examines the war crimes of recent world history and demonstrates the need for the creation of a permanent tribunal at the United Nations to judge and sentence war criminals. 15,000 first printing.

United States Law and Policy on Transitional Justice - Zachary D. Kaufman 2017

In *United States Law and Policy on Transitional Justice: Principles, Politics, and Pragmatics*, Zachary D. Kaufman explores the U.S. government's support for, or opposition to, certain transitional justice institutions. By first presenting an overview of possible responses to atrocities (such as war crimes tribunals) and then analyzing six historical case studies, Kaufman evaluates why and how the United States has pursued particular transitional justice options since World War II. This book challenges the "legalist" paradigm, which postulates that liberal states pursue war crimes tribunals because their decision-makers hold a principled commitment to the rule of law. Kaufman develops an alternative theory-"prudentialism"-which contends that any state (liberal or illiberal) may support bona fide war crimes tribunals. More generally, prudentialism proposes that states pursue transitional justice options, not out of strict adherence to certain principles, but as a result of a case-specific balancing of politics, pragmatics, and normative beliefs. Kaufman tests these two competing theories through the U.S. experience in six contexts: Germany and Japan after World War II, the 1988 bombing of Pan Am flight 103, the 1990-1991 Iraqi offenses against Kuwaitis, the atrocities in the former Yugoslavia in the 1990s, and the 1994 Rwandan genocide. Kaufman demonstrates that political and pragmatic factors featured as or more prominently in U.S. transitional justice policy than did U.S. government officials' normative beliefs. Kaufman

thus concludes that, at least for the United States, prudentialism is superior to legalism as an explanatory theory in transitional justice policymaking.

*War, Genocide, and Justice* - Cathy J. Schlund-Vials 2012

In the three years, eight months, and twenty days of the Khmer Rouge's deadly reign over Cambodia, an estimated 1.7 million Cambodians perished as a result of forced labor, execution, starvation, and disease. Despite the passage of more than thirty years, two regime shifts, and a contested U.N. intervention, only one former Khmer Rouge official has been successfully tried and sentenced for crimes against humanity in an international court of law to date. It is against this background of war, genocide, and denied justice that Cathy J. Schlund-Vials explores the work of 1.5-generation Cambodian American artists and writers. Drawing on what James Young labels "memory work"—the collected articulation of large-scale human loss—*War, Genocide, and Justice* investigates the remembrance work of Cambodian American cultural producers through film, memoir, and music. Schlund-Vials includes interviews with artists such as Anida Yoeu Ali, praCh Ly, Sambath Hy, and Socheata Poeuv. Alongside the enduring legacy of the Killing Fields and post-9/11 deportations of Cambodian American youth, artists potently reimagine alternative sites for memorialization, reclamation, and justice. Traversing borders, these artists generate forms of genocidal remembrance that combat amnesic politics and revise citizenship practices in the United States and Cambodia. Engaged in politicized acts of resistance, individually produced and communally consumed, Cambodian American memory work represents a significant and previously unexamined site of Asian American critique.

*Rwanda's Genocide* - K. Moghalu 2005-11-18

In *Rwanda's Genocide*, Kingsley Moghalu provides an engrossing account and analysis of the international political brinkmanship embedded in the quest for international justice for Rwanda's genocide. He takes us behind the scenes to the political and strategic factors that shaped a path-breaking war crimes tribunal and demonstrates why the trials at Arusha, like Nuremberg, Tokyo, and the Hague, are more

than just prosecutions of culprits, but also politics by other means. This is the first serious book on the politics of justice for Rwanda's genocide. Moghalu tells this gripping story with the authority of an insider, elegant and engaging writing, and intellectual mastery of the subject matter.

*Crimes Against Humanity* - Geoffrey Robertson 2013-02-05

When it was first published in 1999, *Crimes Against Humanity* called for a radical shift from diplomacy to justice in international affairs. In vivid, non-legalese prose, leading human rights lawyer Geoffrey Robertson made a riveting case for holding political and military leaders accountable in international courts for genocide, torture, and mass murder. Since then, fearsome figures such as Charles Taylor, Laurent Gbagbo, and Ratko Mladic have been tried in international criminal court, and a global movement has rallied around the human rights framework of justice. Any such legal framework requires constant evolution in order to stay relevant, and this newly revised and expanded volume brings the conversation up to date. In substantial new chapters, Robertson covers the protection of war correspondents, the problem of piracy, crimes against humanity in Syria, nuclear armament in Iran, and other challenges we are grappling with today. He criticizes the Obama administration's policies around "targeted killing" and the trials of Khalid Sheikh Mohammed and other "high value" detainees. By rendering a complex debate accessible, Robertson once again provides an essential guide for anyone looking to understand human rights and how to work toward a more complete blueprint for justice.

**Reparations for Victims of Genocide, War Crimes and Crimes Against Humanity** - Carla Ferstman 2009

This book provides detailed analyses of systems that have been established to provide reparations to victims of genocide, crimes against humanity and war crimes, and the way in which these systems have worked and are working in practice. Many of these systems are described and assessed for the first time in an academic publication. The publication draws upon a groundbreaking Conference organised by the Clemens Nathan Research Centre (CNRC)

and REDRESS at the Peace Palace in The Hague, with the support of the Dutch Carnegie Foundation. Both CNRC and REDRESS had become very concerned about the extreme difficulty encountered by most victims of serious international crimes in attempting to access effective and enforceable remedies and reparation for harm suffered. In discussions between the Conference organisers and Judges and officials of the International Criminal Court, it became ever more apparent that there was a great need for frank and open exchanges on the question of effective reparation, between the representatives of victims, of NGOs and IGOs, and other experts. It was clear to all that the many current initiatives of governments and regional and international institutions to afford reparations to victims of genocide, crimes against humanity and war crimes could benefit greatly by taking into full account the wide and varied practice that had been built up over several decades. In particular, the Hague Conference sought to consider in detail the long experience of the Conference on Jewish Material Claims against Germany (the Claims Conference) in respect of Holocaust restitution programmes, as well as the practice of truth commissions, arbitral proceedings and a variety of national processes to identify common trends, best practices and lessons. This book thus explores the actions of governments, as well as of national and international courts and commissions in applying, processing, implementing and enforcing a variety of reparations schemes and awards. Crucially, it considers the entire complex of issues from the perspective of the beneficiaries - survivors and their communities - and from the perspective of the policy-makers and implementers tasked with resolving technical and procedural challenges in bringing to fruition adequate, effective and meaningful reparations in the context of mass victimisation.

**Imagining Justice for Syria** - Beth Van Schaack 2020

"The situation in Syria poses an acute-some might say existential-challenge to the international community's commitment to justice and accountability. It also marks the abject failure of the international system of peace and security erected in the post-World War II period.

The Security Council has been almost entirely incapacitated by the propensity of Russia to wield its veto against nearly every coercive measure of any consequence, including legal accountability, that might be imposed on the regime of Syrian President Bashar Al-Assad. As a result, other actors, within and outside of the United Nations, have endeavored to find inventive ways around this geopolitical impasse. This forced creativity has generated a number of innovative institutions, legal arguments, and investigative techniques aimed at advancing justice and accountability for Syria, wherever possible. This book catalogues the many obstacles to this pursuit of justice for Syria and analyzes ways today's justice entrepreneurs have worked to find paths around them. The book's subtitle-Water Always Finds Its Way-reflects this idea that the quest for justice is inexorable. Just as water eventually finds its way through cracks and around obstacles, even if at a trickle, so too will justice. Virtually every international crime that forms part of the international penal code-a mélange of customary international law and treaty provisions-has been committed in and around Syria. The Syrian people have witnessed and been subjected to deliberate, indiscriminate, and disproportionate attacks; the misuse of conventional, unconventional, and improvised weapon systems; industrial-grade custodial abuses in a vast network of formal and informal prisons; unrelenting siege warfare; the denial of humanitarian aid and what appears to be the deliberate use of starvation as a weapon of war; sexual violence, including the sexual enslavement of Yezidi women and girls trafficked from Iraq and the sexual torture of detained men and boys; and the intentional destruction of irreplaceable cultural property. Thousands of Syrians are missing, many of them victims of enforced disappearances. Even children are not spared. The long-standing taboo against the use of chemical weapons has been repeatedly flouted in ways that constitute a double violation of IHL: the use of a prohibited weapon to target civilians. And, the sectarian nature of the violence has raised the specter of genocide against ethno-religious minorities. Indeed, then-Secretary of State John Kerry announced in 2016 that ISIL was committing

genocide against a number of minority groups in Syria and Iraq. Violence in the region has contributed to the biggest exodus of refugees since World War II"--

*Law, War and Crime* - Gerry J. Simpson  
2013-04-18

From events at Nuremberg and Tokyo after World War II, to the recent trials of Slobodan Milošević and Saddam Hussein, war crimes trials are an increasingly pervasive feature of the aftermath of conflict. In his new book, *Law, War and Crime*, Gerry Simpson explores the meaning and effect of such trials, and places them in their broader political and cultural contexts. The book traces the development of the war crimes field from its origins in the outlawing of piracy to its contemporary manifestation in the establishment of the International Criminal Court in The Hague. Simpson argues that the field of war crimes is constituted by a number of tensions between, for example, politics and law, local justice and cosmopolitan reckoning, collective guilt and individual responsibility, and between the instinct that war, at worst, is an error and the conviction that war is a crime. Written in the wake of an extraordinary period in the life of the law, the book asks a number of critical questions. What does it mean to talk about war in the language of the criminal law? What are the consequences of seeking to criminalise the conduct of one's enemies? How did this relatively new phenomenon of putting on trial perpetrators of mass atrocity and defeated enemies come into existence? This book seeks to answer these important questions whilst shedding new light on the complex relationship between law, war and crime.

*Holocaust, Genocide, and the Law* - Michael J. Bazylar 2016

A great deal of contemporary law has a direct connection to the Holocaust. That connection, however, is seldom acknowledged in legal texts and has never been the subject of a full-length scholarly work. This book examines the background of the Holocaust and genocide through the prism of the law; the criminal and civil prosecution of the Nazis and their collaborators for Holocaust-era crimes; and contemporary attempts to criminally prosecute perpetrators for the crime of genocide. It

provides the history of the Holocaust as a legal event, and sets out how genocide has become known as the "crime of crimes" under both international law and in popular discourse. It goes on to discuss specific post-Holocaust legal topics, and examines the Holocaust as a catalyst for post-Holocaust international justice.

Together, this collection of subjects establishes a new legal discipline, which the author Michael Bazylar labels "Post-Holocaust Law."

*War Crimes and Human Rights* - William Schabas 2008

This is a collection of essays and articles on human rights law and international criminal law authored by William Schabas, one of the most prominent contemporary scholars and practitioners. Particular attention is given to such topics as the limitation and abolition of the death penalty, genocide and crimes against humanity, the establishment and operation of the International Criminal Court and the ad hoc international criminal tribunals, truth and reconciliation commissions, reservations to human rights treaties, and the implementation of international human rights norms in domestic law

*The Oxford Companion to International Criminal Justice* - 2009-01-22

The move to end impunity for human rights atrocities has seen the creation of international and hybrid tribunals and increased prosecutions in domestic courts. The Oxford Companion to International Criminal Justice is the first major reference work to provide a complete overview of this emerging field. Its nearly 1100 pages are divided into three sections. In the first part, 21 essays by leading thinkers offer a comprehensive survey of issues and debates surrounding international humanitarian law, international criminal law, and their enforcement. The second part is arranged alphabetically, containing 320 entries on doctrines, procedures, institutions and personalities. The final part contains over 400 case summaries on different trials from international and domestic courts dealing with war crimes, crimes against humanity, genocide, torture, and terrorism. With analysis and commentary on every aspect of international criminal justice, this Companion is designed to be the first port of call for scholars and practitioners interested in current developments

in international justice.

*Crime and Global Justice* - Daniele Archibugi  
2018-03-16

Over the last quarter of a century a new system of global criminal justice has emerged. But how successful has it been? Are we witnessing a new era of cosmopolitan justice or are the old principles of victors' justice still in play? In this book, Daniele Archibugi and Alice Pease offer a vibrant and thoughtful analysis of the successes and shortcomings of the global justice system from 1945 to the present day. Part I traces the evolution of this system and the cosmopolitan vision enshrined within it. Part II looks at how it has worked in practice, focusing on the trials of some of the world's most notorious war criminals, including Augusto Pinochet, Slobodan Milošević, Radovan Karadžić, Saddam Hussein and Omar al-Bashir, to assess the efficacy of the new dynamics of international punishment and the extent to which they can operate independently, without the interference of powerful governments and their representatives. Looking to the future, Part III asks how the system's failings can be addressed. What actions are required for cosmopolitan values to become increasingly embedded in the global justice system in years to come?

Genocide, War Crimes and the West - Doctor Adam Jones  
2013-07-04

Genocide and war crimes are increasingly the focus of scholarly and activist attention. Much controversy exists over how, precisely, these grim phenomena should be defined and conceptualized. *Genocide, War Crimes & the West* tackles this controversy, and clarifies our understanding of an important but under-researched dimension: the involvement of the US and other liberal democracies in actions that are conventionally depicted as the exclusive province of totalitarian and authoritarian regimes. Many of the authors are eminent scholars and/or renowned activists; in most cases, their contributions are specifically written for this volume. In the opening and closing sections of the book, analytical issues are considered, including questions of responsibility for genocide and war crimes, and institutional responses at both the domestic and international levels. The central section is devoted to an unprecedentedly broad range of original case

studies of western involvement, or alleged involvement, in war crimes and genocide. At a moment in history when terrorism has become a near universal focus of public attention, this volume makes clear why the West, as a result of both its historical legacy and contemporary actions, so often excites widespread resentment and opposition throughout the rest of the world.

Global Crime and Justice - David A. Jenks  
2016-12-08

10 Human Rights and International Crime Control -- The Idea of Human Rights -- Human Rights Violations -- International Law and State Sovereignty -- Transnational and International Crime Control -- International Law Enforcement Organizations -- Interpol -- Europol -- U.N. Office of Drugs and Crime -- World Customs Organization -- Jurisdiction -- Martial Law and Military Intervention -- 11 Privatization and Global Justice -- Privatization of Police -- Privatization of the Courts -- Privatization of Corrections -- Private Prisons -- Private Probation -- Private Immigration Detention -- Privatization Concerns in the Global Arena -- 12 The Future of Global Crime -- Globalization and the Future of Crime -- Violent Crime Then and Now -- Culture and Crime -- Balancing Privacy and Security -- Future Questions -- Index  
The Crime of Aggression - Noah Weisbord  
2019-06-11

A gripping behind-the-scenes account of the dramatic legal fight to hold leaders personally responsible for aggressive war. On July 17, 2018, starting an unjust war became a prosecutable international crime alongside genocide, crimes against humanity, and war crimes. Instead of collective state responsibility, our leaders are now personally subject to indictment for crimes of aggression, from invasions and preemptions to drone strikes and cyberattacks. *The Crime of Aggression* is Noah Weisbord's riveting insider's account of the high-stakes legal fight to enact this historic legislation and hold politicians accountable for the wars they start. Weisbord, a key drafter of the law for the International Criminal Court, takes readers behind the scenes of one of the most consequential legal dramas in modern international diplomacy. Drawing on in-depth interviews and his own invaluable insights, he sheds critical light on the motivations of the prosecutors, diplomats, and

military strategists who championed the fledgling prohibition on unjust war—and those who tried to sink it. He untangles the complex history behind the measure, tracing how the crime of aggression was born at the Nuremberg trials only to fall dormant during the Cold War, and he draws lessons from such pivotal events as the collapse of the League of Nations, the rise of the United Nations, September 11, and the war on terror. The power to try leaders for unjust war holds untold promise for the international order, but also great risk. In this incisive and vitally important book, Weisbord explains how judges in such cases can balance the imperatives of justice and peace, and how the fair prosecution of aggression can humanize modern statecraft.

**The Justice Laboratory** - Kerstin Bree Carlson  
2022-04-05

Examining how international criminal law has—and hasn't—brought justice following war crimes in Africa Ever since World War II, the United Nations and other international actors have created laws, treaties, and institutions to punish perpetrators of genocide, war crimes, and crimes against humanity. These efforts have established universally recognized norms and have resulted in several high-profile convictions in egregious cases. But international criminal justice now seems to be a declining force—its energy sapped by long delays in prosecutions, lagging public attention, and a globally rising authoritarianism that disregards legal niceties. This book reviews five examples of international criminal justice as they have been applied across Africa, where brutal civil conflicts in recent decades resulted in varying degrees of global attention and action. The first three chapters examine key international mechanisms: the International Criminal Court, the International Criminal Tribunal for Rwanda, and the hybrid tribunal established in Senegal to try state crimes committed in Chad. These chapters illustrate how the design and practice of the institutions led to similarly unexpected and unsatisfying outcomes. The final two chapters examine emerging and proposed international criminal justice mechanisms. One is a tribunal intended to facilitate peace in the new but war-torn country of South Sudan, not yet operational and unlikely to perform better than its

predecessors. Finally, the book considers the developing human rights practice of the little-studied East African Court, a regional commercial court in Arusha, Tanzania, to show how local judicial creativity can win a role for courts in facilitating good governance. Written in an accessible style, this book explores the connections between politics and the doctrine of international criminal law. Highlighting little-known institutional examples and under-discussed political situations, the book contributes to a broader international understanding of African politics and international criminal justice, as well as the lessons the African experiences offer for other regions.

*The Witnesses* - Eric Stover 2011-06-03

In recent years, the world community has demonstrated a renewed commitment to the pursuit of international criminal justice. In 1993, the United Nations established two ad hoc international tribunals to try those responsible for genocide and crimes against humanity in the former Yugoslavia and Rwanda. Ten years later, the International Criminal Court began its operations and is developing prosecutions in its first two cases (Congo and Uganda). Meanwhile, national and hybrid war crimes tribunals have been established in Sierra Leone, Kosovo, Serbia and Montenegro, Croatia, Bosnia and Herzegovina, East Timor, Indonesia, Iraq, and Cambodia. Thousands of people have given testimony before these courts. Most have witnessed war crimes, including mass killings, torture, rape, inhumane imprisonment, forced expulsion, and the destruction of homes and villages. For many, testifying in a war crimes trial requires great courage, especially as they are well aware that war criminals still walk the streets of their villages and towns. Yet despite these risks, little attention has been paid to the fate of witnesses of mass atrocity. Nor do we know much about their experiences testifying before an international tribunal or the effect of such testimony on their return to their postwar communities. The first study of victims and witnesses who have testified before an international war crimes tribunal, *The Witnesses* examines the opinions and attitudes of eighty-seven individuals—Bosnians, Muslims, Serbs, and Croats—who have appeared before the

International Criminal Tribunal for the former Yugoslavia.

Reproductive Violence and International Criminal Law - Tanja Altunjan 2021-03-13

This book deals with the phenomenon of conflict-related reproductive violence and explores the international legal framework's capacity to respond to it. The international discourse on gender-based violence in conflicts tends to focus on sexualized crimes, which leads to incomplete narratives of the gendered dimensions of armed conflicts. In particular, international law has often remained silent on conflict-related violence affecting or aimed at the victim's reproductive system. The author conceptualizes reproductive violence as a distinct manifestation of gender-based violence and a violation of reproductive autonomy. The analysis explores the historical approaches to reproductive violence and evaluates the current potentials of international criminal law for its prosecution as genocide, crimes against humanity, and war crimes. In this regard, it also develops proposals for a gender-sensitive interpretation of the existing legal framework as well as possible amendments to it. The book is aimed at researchers and practitioners in the fields of international criminal justice and international human rights law with an interest in gender perspectives on international law, sexualized and gender-based violence, and the discourse on reproductive human rights. Tanja Altunjan is a former researcher at Humboldt-Universität zu Berlin where she obtained her doctoral degree in criminal law.

**Defeating Impunity** - Ornella Rovetta 2021-11-12

Over the course of the long and violent twentieth century, only a minority of perpetrators of international crime perpetrators ever stood trial, and a central challenge of this era was the effort to ensure that not all these crimes remained unpunished. This required not only establishing a legal record but also courage, determination, and inventiveness in realizing justice. Defeating Impunity moves from the little-known trials of the 1920s to the Yugoslavia tribunal in the 2000s, from Belgium in 1914 to Ukraine in 1943, and to Stuttgart and Düsseldorf in 1975. It illustrates the extent to which the language of law drew an international horizon of justice.

**Judging War Crimes And Torture** - Yves Beigbeder 2006

This volume shows that even democratic countries, like France but not France alone, can commit war crimes, crimes against humanity and even be accomplices in genocides. However, past crimes must be recalled and exposed, particularly if they have been hidden, covered by amnesties, and not judicially punished. They must be visible as part of a country's history in order to ensure that they are not repeated.

**The 'Contextual Elements' of the Crime of Genocide** - Nasour Koursami 2018-02-10

This book examines the position of 'contextual elements' as a constitutive element of the legal definition of the crime of genocide, and determines the extent to which an individual génocidaire is required to act within a particular genocidal context. Unlike other books in the field of the study of the crime of genocide, this book captures the nuance and the complex issues of the debate by providing book-length comprehensive examination of the position of contextual elements in light of the evolution of genocide as a concept and the literal legal definition of the crime of genocide, which expressly characterized the crime with only the existence of an individualistic intent to destroy a group. With scholars of international criminal law, students, researchers, practitioners in the field, and international criminal tribunals in mind, the author tackles many of the issues raised on the position of contextual elements in both academic literature and judicial decisions. Nasour Koursami is the Director of Applied Research and a Lecturer at the National School of Administration in Chad. He studied law at Cardiff and Bristol Universities and holds a Ph.D. in International Law from the University of Edinburgh.

*Global Crime and Justice* - John Fuller 2016-09-01

Global Crime and Justice offers a truly transnational examination of both deviance and social controls around the world. Unlike comparative textbooks detailing the criminal justice systems of a few select nations, or cataloging types of international crimes that span multiple legal jurisdictions, Global Crime and Justice provides a critical and integrated investigation into the nature of crime and how

different societies react to it. The book first details various types of international crime, including genocide, war crimes, international drug and weapons smuggling, terrorism, slavery, and human trafficking. The second half covers international law, international crime control, the use of martial law, and the challenges of balancing public order with human and civil rights. *Global Crime and Justice* is suitable for use in criminology and criminal justice departments, as well as in political science, international relations, and global studies programs. It will appeal to all who seek an academically rigorous and comprehensive treatment of the international and transnational issues of crime and social order.

**Americans, Germans, and War Crimes Justice: Law, Memory, and "The Good War"** -

James J. Weingartner 2011-03-21

This ground-breaking comparative perspective on the subject of World War II war crimes and war justice focuses on American and German atrocities. . Provides historic photographs related to war crimes and trials . An extensive bibliography of primary sources and secondary literature in English and German related to World War II war crimes and trials

*All the Missing Souls* - David Scheffer  
2013-01-27

This title is Scheffer's account of the international gamble to prosecute those responsible for genocide, war crimes, and crimes against humanity, and to redress some of the bloodiest human rights atrocities in our time.

**Introduction to International Criminal Justice** - Mangai Natarajan 2005-08-17

An Edited Collection on International Crime and Justice (ICJ). ICJ is a new field that covers crime and justice from a global perspective. It encompasses comparative studies of crime and justice, but covers a much broader set of topics, including: • International crimes including genocide, war crimes, terrorism, and crimes against humanity such as enslavement, torture, forced pregnancy, and sterilization. • Transnational crimes including money laundering, computer hacking, and trafficking in humans and commodities (such as drugs, arts, firearms). • Organized crime's involvement in local and transnational crime. • Human rights issues. • International criminal law and

international relations. • International law enforcement and criminal justice.. • Rules of procedure and evidence of the International Criminal Court. • The role of the United Nations and other international agencies in preventing crime and establishing criminal justice standards.

**Stalin's Soviet Justice** - David M. Crowe  
2019-06-13

From the 'show' trials of the 1920s and 1930s to the London Conference, this book examines the Soviet role in the Nuremberg IMT trial through the prism of the ideas and practices of earlier Soviet legal history, detailing the evolution of Stalin's ideas about the trial of Nazi war criminals. Stalin believed that an international trial for Nazi war criminals was the best way to show the world the sacrifices his country had made to defeat Hitler, and he, together with his legal mouthpiece Andrei Vyshinsky, maintained tight control over Soviet representatives during talks leading up to the creation of the Nuremberg IMT trial in 1945, and the trial itself. But Soviet prosecutors at Nuremberg were unable to deal comfortably with the complexities of an open, western-style legal proceeding, which undercut their effectiveness throughout the trial. However, they were able to present a significant body of evidence that underscored the brutal nature of Hitler's racial war in Russia from 1941-45, a theme which became central to Stalin's efforts to redefine international criminal law after the war. *Stalin's Soviet Justice* provides a nuanced analysis of the Soviet justice system at a crucial turning point in European history and it will be vital reading for scholars and advanced students of the legal history of the Soviet Union, the history of war crimes and the aftermath of the Second World War.

*Comparative and International Criminal Justice Systems* - Obi N. I. Ebbe 2013-05-13

*Comparative and International Criminal Justice Systems: Policing, Judiciary, and Corrections, Third Edition* examines the history, dynamics, structure, organization, and processes in the criminal justice systems in a number of selected countries. Designed for courses in comparative criminal justice systems, comparative criminology, and international criminal law, it explores systems in the United States, Ireland, Israel, Argentina, Sierra Leone, China, Russia,

and Poland. A descriptive and quantitative analysis of criminal justice processes, this text goes beyond a mere analysis of individual systems. Instead, the book compares these criminal justice models with each other and contrasts them with: United Nations conventions World Courts of Justice International Court of Justice International Military Tribunal International Criminal Tribunal International Criminal Court Understanding these comparisons is crucial for a proper grasp of transnational crimes. The book shows how the national criminal justice systems and the United Nations judicial systems complement each other when adjudicating transnational crimes in the international community. It analyzes the nature of crime and criminal law, explores basic theories of crime, and discusses the various sources of international law. It also examines the inherent pitfalls in comparing international crime rates and discusses terrorism and its control. Unique to this edition is a thorough, unbiased study of the Islamic justice system. Each chapter focuses on a select region and includes crime data and arrest, prosecution, and conviction rates where appropriate. This allows readers looking for information on the criminal justice systems of any part of the world to easily find the relevant section. A sound approach to understanding the laws of various nations, and international, criminal, and humanitarian laws, this volume provides sage insight into the sociological explanations of criminal law and crime.

**The Genocide Convention** - John B. Quigley 2006

The Genocide Convention explores the question of whether the law and genocide law in particular can prevent mass atrocities. The volume explains how genocide came to be accepted as a legal norm and analyzes the intent required for this categorization. The work also discusses individual suits against states for genocide and, finally, explores the utility of genocide as a legal concept.

*The Crime of Aggression* - Noah Weisbord 2019-06-11

A gripping behind-the-scenes account of the dramatic legal fight to hold leaders personally responsible for aggressive war On July 17, 2018, starting an unjust war became a prosecutable

international crime alongside genocide, crimes against humanity, and war crimes. Instead of collective state responsibility, our leaders are now personally subject to indictment for crimes of aggression, from invasions and preemptions to drone strikes and cyberattacks. The Crime of Aggression is Noah Weisbord's riveting insider's account of the high-stakes legal fight to enact this historic legislation and hold politicians accountable for the wars they start. Weisbord, a key drafter of the law for the International Criminal Court, takes readers behind the scenes of one of the most consequential legal dramas in modern international diplomacy. Drawing on in-depth interviews and his own invaluable insights, he sheds critical light on the motivations of the prosecutors, diplomats, and military strategists who championed the fledgling prohibition on unjust war—and those who tried to sink it. He untangles the complex history behind the measure, tracing how the crime of aggression was born at the Nuremberg trials only to fall dormant during the Cold War, and he draws lessons from such pivotal events as the collapse of the League of Nations, the rise of the United Nations, September 11, and the war on terror. The power to try leaders for unjust war holds untold promise for the international order, but also great risk. In this incisive and vitally important book, Weisbord explains how judges in such cases can balance the imperatives of justice and peace, and how the fair prosecution of aggression can humanize modern statecraft.

*Genocide, Crimes Against Humanity, War Crimes* - Machteld Boot 2002

3.1 The Tokyo Charter

*Prosecuting War Crimes and Genocide* - Howard Ball 1999

Combining history, politics, and critical analysis, he revisits the killing fields of Cambodia, documents the three-month Hutu "machete genocide" of about 800,000 Tutsi villagers in Rwanda, and casts recent headlines from Kosovo in the light of these other conflicts."--BOOK JACKET.

**War Crimes Trials and Investigations** - Jonathan Waterlow 2018-01-31

This book represents the first multi-disciplinary introduction to the study of war crimes trials and investigations. It introduces readers to the

numerous disciplines engaged with this complex subject, including: Forensic Anthropology, Economics and Anthropometrics, Legal History, Violence Studies, International Criminal Justice, International Relations, and Moral Philosophy. The contributors are experts in their respective fields and the chapters highlight each discipline's major trends, debates, methods and approaches to mass atrocity, genocide, and crimes against humanity, as well as their interactions with adjacent disciplines. Case studies illustrate how the respective disciplines

work in practice, including examples from the Allied Hunger Blockade, WWII, the Guatemalan and Spanish Civil Wars, the Former Yugoslavia, and Uganda. Including bibliographical essays to offer readers crucial orientation when approaching the specialist literature in each case, this edited collection equips readers with what they need to know in order to navigate a complex, and until now, deeply fragmented field. A diverse and interdisciplinary body of research, this book will be indispensable reading for scholars of war crimes.