

INTERNATIONAL CRIMINAL LAW

COLOMBIA LAW SCHOOL SCHOLARSHIPS ON ICL AND IHL.

FIRST CLASS

Introduction to ICL

- ICL is a rudimentary field of law (underdeveloped)
- UN Security Council can refer some cases to the ICC (see Chapter 7 of UN Charter), because they are responsible for ensuring international peace and security
- Office of the Prosecutor
- There are Kenyan cases relating to ICL (*one was mentioned by Stür*)
- Are there immunities in ICL? No, which differs from criminal law. In criminal law, one cannot be indicted while in power. The same isn't true in ICL e.g. in the Al Bashir case
- Countries can refer other countries to the ICC e.g. Gambia referred Myanmar to the ICC (this year I think)

Fundamentals of ICL

Read the 1st chapter of book referred to: 'Antonio Cassese- International Criminal Law'

- Sources of ICL (see PIL)
- Principle of legality

She won't teach the class, but still write notes; because it means she can still examine it.

-

15th November 2019

FUNDAMENTALS OF INTERNATIONAL CRIMINAL LAW

- It is a branch of PIL
 - Sources of law are the same i.e. the primary sources and secondary sources. *Some won't apply though because of 'the principle of legality'.*
 - Principle of legality might not necessarily be there in PIL
- Criminal law moved from the national to the international for various reasons
 - States didn't have the resources to try these people
 - The perpetrators are people in positions in power
- PIL- wrongful conduct attributed to the state
- ICL- attributed to the individual
- It is a new branch of law
- It is rudimentary
- Development of ICL
 - Nuremberg
 - This is where it began (ICL)

International Criminal Law Notes

M Carnoy



International Criminal Law Notes:

Commentary on the Rome Statute of the International Criminal Court Kai Ambos, 2008 On 1st July 2008 the Rome Statute of the International Criminal Court entered into force enabling the ICC as laid down in the Preamble to the Statute to affirm that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must be ensured by taking measures at national level and by enhancing international cooperation In the second edition of their Commentary Otto Triffterer and a number of eminent legal practitioners and scholars in the field of international criminal law give a detailed article by article analysis of both the Statute as well as the Elements of Crime and the Rules of Procedure and Evidence adopted by the Assembly of States Parties in 2002 and the Regulations of the Court adopted by the Judges of the ICC in 2004 The second edition is a substantially revised and significantly amended version of the first edition of 1999 considering the jurisprudence of the International Criminal Tribunal for the former Yugoslavia ICTY and the International Criminal Tribunal for Rwanda ICTR as well as other international semi international or national courts and the relevant literature since 1999 The Commentary will be an invaluable aid to all practitioners and scholars dealing with the Rome Statute and the jurisdiction established by its Complementarity Regime *International Criminal Law* Gerhard O. W. Mueller, Edward M. Wise, 1965 [Africa and the ICC](#) Kamari M. Clarke, Abel S. Knottnerus, Eefje de Volder, 2016-10-27 *Africa and the ICC Perceptions of Justice* comprises contributions from prominent scholars of different disciplines including international law political science cultural anthropology African history and media studies This unique collection provides the reader with detailed insights into the interaction between the African Union and the International Criminal Court ICC but also looks further at the impact of the ICC at a societal level in African states and examines other justice mechanisms on a local and regional level in these countries This investigation of the ICC s complicated relationship with Africa allows the reader to see that perceptions of justice are multilayered [Handbook of the American Academy of Political and Social Science](#) American Academy of Political and Social Science, 1891 *The Role of International Criminal Law in the Global Legal Order* CHAO Yi, 2015-08-31 **Law Notes**, 1903 *Introduction to International Criminal Law* M. Cherif Bassiouni, 2021-10-01 Written by one of the world s pioneers and leading authorities on international criminal law this text book covers the history nature and sources of international criminal law the *ratione personae* *ratione materiae* sources of substantive international criminal law the indirect enforcement system the direct enforcement system the function of the international criminal court rules of procedure and evidence applicable to international criminal proceedings and the future of international criminal law The first textbook to address this important topic it is comprehensive easy to read and ideally suited for classroom use Published under the Transnational Publishers imprint **Subject Index of the Modern Works Added to the Library of the British Museum in the Years ...** British Museum, 1911 [Subject Index of the Modern Works Added to the Library of the British Museum in the Years 1906-1910](#)

British Museum. Department of Printed Books,1911 **Law Notes** Albert Gibson,Robert McLean,1895 **Genocide, Mass Atrocity, and War Crimes in Modern History** James Larry Taulbee,2017-02-06 Defining genocide as an international crime this two volume set provides a comparative study of historical cases of genocide and mass atrocity clearly identifying the factors that produced the attitudes and behaviors that led to them discusses the reasons for rules in war and examines how the five principles laid out in the Geneva Conventions and other international agreements have functioned in modern warfare Written by an expert on international politics and law **Genocide Mass Atrocity and War Crimes in Modern History Blood and Conscience** is an easy to understand resource that explains why genocides and other atrocities occur why humanity saw the need to create rules that apply during war and how culture rules about war and the nature of war intersect The first volume addresses the history and development of the normative regime s that define genocide and mass atrocity Through a comparative study of historical cases that pay particular attention to the factors involved in producing the attitudes and behaviors that led to the incidents of mass slaughter and mistreatment the author identifies the reasons that genocides and mass atrocities in the 20th century were largely ignored until the early 1990s and why even starting then responses were inconsistent The second book discusses why rules in war exist which factors may lead to the adoption of rules what defines a war crime and how the five fundamental principles laid out in the Geneva Conventions and other international agreements have actually functioned in modern warfare It also poses and answers the interesting question of why we should obey rules when our opponents do not The final chapter examines what actions could serve to identify future situations in which mass atrocities may occur and identifies the problems of timely humanitarian intervention in international affairs

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