



Elinor Fry

# The Contours of International Prosecutions

As Defined by Facts,  
Charges, and Jurisdiction

# Contours International Prosecutions Defined Jurisdiction

**Austen Parrish, Cedric Ryngaert**



## **Contours International Prosecutions Defined Jurisdiction:**

*The Contours of International Prosecutions* Elinor Fry, 2016 By nature core international crimes have indistinct factual parameters War crimes crimes against humanity and genocide generally occur on a massive scale spread out over a large geographical area and a long time span involving many perpetrators at various distances from the crime scene s These characteristics make international crimes difficult to demarcate from start to finish This book addresses such delineation difficulties by exploring the jurisdictional and factual boundaries of international criminal prosecutions This entails researching those legal aspects that influence demarcation jurisdiction in terms of scope as well as institutional influence charges and identifying material facts by adequately distinguishing them from background information and evidence for the purpose of the indictment Back cover *The International Criminal Responsibility of War's Funders and Profiteers* Nina H.

B. Jørgensen, 2020-09-17 This book is about money war atrocities and economic actors about the connections between them and about responsibility **Research Handbook on International Criminal Law** Bartram S. Brown, 2011-01-01 This timely valuable and thought provoking contribution to our understanding of the vibrant new subject that is international criminal law is a great addition to the literature and to our understanding Professor Bart Brown deserves real appreciation for bringing it together Philippe Sands QC University College London and Matrix Chambers UK The Research Handbook is a comprehensive up to date guide to one of the youngest yet most dynamic areas of international law It tackles the pertinent challenges and opportunities starting with the classical issues like categories of international crimes and complementarity going on to address the problems ahead including the Guant namo regime crimes against women and the status of private security contractors The Handbook will be a valuable source for both general and advanced international criminal law research James Crawford Cambridge University UK This carefully regarded and well structured handbook covers the broad range of norms practices policies processes and institutional mechanisms of international criminal law exploring how they operate and continue to develop in a variety of contexts Leading scholars in the field and experienced practitioners have brought together their expertise and perspectives in a clear and concise fashion to create an authoritative resource which will be useful and accessible even to those without legal training The Research Handbook on International Criminal Law will appeal to practitioners who may want to defend or prosecute international criminal law cases and academics researching and writing on international criminal law Graduate students studying international criminal law international human rights or international humanitarian law as well as those studying international justice international politics international organization or public policy analysis will also find this book invaluable *CONTOURS OF CONTEMPORARY LEGAL RESEARCH: A MULTIDISCIPLINARY PERSPECTIVE: Volume 1: FOUNDATIONS AND FRONTIERS OF PUBLIC LAW* Adarsh Pandey, Garima Dixit, Jyoti Priya, Mr. Sourabh Batar, 2025-07-12 This study delves into the multifaceted evolution of constitutionalism examining its global trajectory and specific manifestations within the Indian context Constitutionalism as a doctrine and

practice embodies the principles of limited government the rule of law and the protection of individual rights evolving dynamically in response to socio political transformations and philosophical shifts By analyzing historical developments theoretical underpinnings and comparative case studies this paper elucidates the complex interplay between global constitutional norms and indigenous interpretations particularly focusing on the adaptation and innovation of constitutional principles in India

*Philosophical Foundations of International Criminal Law* Morten Bergsmo, Emiliano J. Buis, 2018-11-30 This first edition of *Philosophical Foundations of International Criminal Law* Correlating Thinkers contains 20 chapters about renowned thinkers from Plato to Foucault As the first volume in the series *Philosophical Foundations of International Criminal Law* the book identifies leading philosophers and thinkers in the history of philosophy or ideas whose writings bear on the foundations of the discipline of international criminal law and then correlates their writings with international criminal law

**Prosecuting International Crimes** Robert Cryer, 2005-06-30 This 2005 book discusses the legitimacy of the international criminal law regime It explains the development of the system of international criminal law enforcement in historical context from antiquity through the Nuremberg and Tokyo Trials to modern day prosecutions of atrocities in the former Yugoslavia Rwanda and Sierra Leone The modern regime of prosecution of international crimes is evaluated with regard to international relations theory The book then subjects that regime to critique on the basis of legitimacy and the rule of law in particular selective enforcement not only in relation to who is prosecuted but also the definitions of crimes and principles of liability used when people are prosecuted It concludes that although selective enforcement is not as powerful as a critique of international criminal law as it was previously the creation of the International Criminal Court may also have narrowed the substantive rules of international criminal law

**AMERICAN INTERNATIONAL LAW CASES Fourth Series 2009 VOLUME 5**, 2011-01-06 AILC is an annual case law reporter that provides the full text of U S court opinions involving international law issues The courts covered include all U S federal district courts federal appellate courts and the U S Supreme Court as well as some state courts the U S Court of Claims the U S Court of International Trade and the U S Tax Court The series seeks to provide not every single case in which a court refers to international law but rather all cases that analyze at least one international law issue in depth The list of subjects addressed by these volumes is vast and changes from year to year with the inclusion and prominence of most topics turning on their prevalence in a given year's jurisprudence Some consistently prominent topics are personal jurisdiction over foreign defendants deportation procedure and double taxation Over the last three editions 2006 2007 and 2008 many topics have developed rapidly and constitute a correspondingly larger portion of the volumes particularly Terrorism the Foreign Sovereign Immunities Act Forum Non Conveniens and an entirely new added topic the National Security Exception to deportation eligibility The 2008 edition of AILC also features expanded sections on family law and on the detention of terrorist suspects The U S war on terror and the crisis at Guantanamo have made that last topic a significant and dynamic component of AILC Each edition of AILC also comes

framed with two practical resources for students and scholars The first is an introductory editor's note that both reviews international law's major developments for the given year and explains to readers how to use the volumes The second is a subject index to allow for targeted research Volume Five of AILC covers procedural aspects the Foreign Sovereign Immunities Act and the commercial exception the Act of State Doctrine U S Sovereign Immunity and the Alien Tort Claim Act In *Sonia Ghawanmeh v Islamic Saudi Academy* an issue was whether the Kingdom of Saudi Arabia's operation of the Islamic Saudi Academy constitutes commercial activity under the Foreign Sovereign Immunities Act An issue in *Vishranthamma Swarna v Badar al Awadi* was whether the individual defendants by virtue of their diplomatic immunity or Kuwait by virtue of its sovereign immunity are immune from any or all of the plaintiff's claims The plaintiff brought claims under international law for trafficking involuntary servitude enslavement forced labor and sexual slavery

***Anti-Bribery Laws in Common Law Jurisdictions*** Stuart H. Deming, 2014-06-17 *Anti Bribery Laws in Common Law Jurisdictions* provides a comprehensive analysis of the foreign bribery laws and of related laws and regulations in key common law jurisdictions This book extensively addresses the official guidance associated with the Foreign Corrupt Practices Act FCPA and the UK Bribery Act and explains the related legal obligations that apply to record keeping practices and maintaining adequate internal controls Foreign bribery legislation in Australia Canada Ireland New Zealand and South Africa are also extensively addressed Stuart H Deming also closely focuses on laws that may expose an individual or entity to private or commercial bribery in foreign settings as well as to the application of laws relating to money laundering accounting and record keeping practices to situations involving foreign bribery Throughout special attention is given to explaining the criteria used in each jurisdiction to establish liability on the part of an entity or organization for foreign bribery

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

**Historical Origins of International Criminal Law** Morten Bergsmo, CHEAH Wui Ling, SONG Tianying, YI Ping, 2015-11-19

***Hostages and Human Rights*** Sofia Galani, 2021-07-08 Hostage taking has increased in recent years and has become a problem of worldwide concern Terrorists and pirates have used hostages in a rising number of incidents and the violence used has escalated alarmingly Sofia Galani examines the taking of hostages from a victim's perspective arguing that the international community has failed to protect them By evaluating various international law concepts and frameworks including jurisdiction in international law state responsibility and international human rights law Galani explains why we are still far from recognizing hostages as victims of human rights violations She then addresses the question of what can be done to safeguard the human rights of hostages both in theory and practice Being the first comprehensive study of the human rights of hostages this book fills a critical gap in the literature for human rights lawyers and researchers in the field

***Impediments to Exercising Jurisdiction Over International Crimes*** Yasmin Naqvi, 2010-01-28 This book challenges

the growing assumptions about the exercise of jurisdiction over international crimes that legal impediments are invalid in the face of the imperative to prosecute crimes of this gravity Six principal impediments to the exercise of jurisdiction over international crimes are individually and comparatively analysed from the perspective of their historical origins the policy contexts justifying them and the legal arguments used by courts and commentators to either uphold the barrier to prosecution or to reject its application so that prosecution remains unhindered These six impediments are 1 Amnesties 2 Pardons Statutes of Limitation 4 Immunities 5 Ne bis in Idem double jeopardy and 6 Abuse of process The author proposes that an approach based upon an interests analysis derived from policy oriented approaches to international law provides a reasonable coherent and transparent means for courts to resolve the question of jurisdiction when faced with competing rules or principles such as those forming the basis of the research Each chapter contains a theoretical evaluation of one of the mentioned impediments as well as a comprehensive and up to date discussion of relevant case law from both world wide domestic and international jurisdictions This volume builds upon Yasmin Naqvi s expertise as a scholar and a lawyer working for the Chambers of the International Criminal Tribunal for the former Yugoslavia She has also held positions at the International Committee of the Red Cross the Graduate Institute of International and Development Studies in Geneva and as a legal consultant on transitional justice and special procedures at the United Nations Office of the High Commissioner for Human Rights

**Judicial Creativity at the International Criminal Tribunals** Shane Darcy, Joseph Powderly, 2010-12-16

As the work of the International Criminal Tribunals for the Former Yugoslavia and Rwanda draws to a close this edited collection appraises their impact It particularly focuses on the position of judges as lawmakers within these tribunals shedding light on the profound changes in international criminal law which these judges have instigated

**Research Handbook on Extraterritoriality in International Law** Austen Parrish, Cedric Ryngaert, 2023-08-14 By engaging with the ongoing discussion surrounding the scope of cross border regulation this expansive Research Handbook provides the reader with key insights into the concept of extraterritoriality It offers an incisive overview and analysis of one of the most critical components of global governance

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

**FOREWORD Maritime Piracy and the Construction of Global Governance** Michael J.

Struett, Jon D. Carlson, Mark T. Nance, 2013-05-07 Piratical attacks have become more frequent violent costly and increasingly threaten to undermine order in the international system Much attention has focused on Somalia but piracy is a problem worldwide Recent coordination efforts among states in South East Asia appear to have helped in the area but elsewhere piracy has expanded Interestingly international law has long recognized piracy as a crime and provided tools for universal suppression yet piracy persists In this book a handpicked group of leading experts in the field of International Relations use

maritime piracy as a means to expose the incongruities in our understanding of global governance Using broadly constructivist approaches to understand international actors responses to the challenges created by maritime piracy the contributors question a number of myths and misconceptions around piracy and analyze the various ways that international law and organizations channel actors understandings of maritime piracy and their efforts to respond to it In doing so they expose some shaky foundations for IR theorists how do we conceive of governance and legitimacy when they are delinked from the territorial aspect of the modern nation state What happens to prospects for cooperation when we get to the nitty gritty questions of practice related to paying for trials imprisoning and maintaining captured pirates bearing the burden of policing sea lanes or even determining what constitutes a pirate Does anyone have a monopoly on the legitimate use of force at sea and how is that legitimacy constructed Maritime Piracy and the Construction of Global Governance offers an improved theoretical understanding of the response of the international community to maritime piracy and broadens our understanding of the complex and sometimes countervailing motivations of all the actors involved from international organizations and states down to the pirates themselves

**International Human Rights Law** Manisuli Ssenyonjo, 2016-04-22 This timely and valuable book explores the development of international human rights law over the last six decades The volume brings together leading experts to reflect on different aspects of human rights law not only considering and evaluating the developments so far but also identifying relevant problems and proposing relevant possible perspectives for the continued positive future development of human rights law The book is international in perspective both in scope and context and covers developments in the international protection of human rights since the adoption of the UDHR in 1948 The developments considered include the United Nations system of protecting human rights as well as regional human rights systems in Africa America and Europe It also considers some key themes relevant to human rights including globalisation protecting human rights in emergency situations and trade sanctions the development of human rights NGOs and many others The book will be an invaluable resource for students academics and policy makers working in the field of international human rights

**Jurisdiction in International Law** William Michael Reisman, 1999 This series brings together published journal articles in international law as determined by the editors of each volume in the series The proliferation of law specialist journals the increase in international materials and the use of the internet has meant that it is increasingly difficult for students and legal scholars to have access to the relevant articles In addition each volume contains an informative introduction which provides an overview of the subject matter and justification of why the articles were collected This series contains collections of articles in a manner that is of use for both teaching and research

*Norm Contestation, Sovereignty and (Ir)responsibility at the International Criminal Court* Emanuela Piccolo Koskimies, 2021-10-26 Grappling specifically with the norm of sovereignty as responsibility the book seeks to advance a critical constructivist understanding of norm development in international society as opposed to the conventional or liberal constructivist mis understanding that

still dominates the debate Against this backdrop the book delves into the institutionalization of sovereignty as responsibility within the lived practice of the International Criminal Court ICC More to the point the proposed exploration intends to revive questions about the power laden nature of the normative fabric of international society its dis symmetries and its outright hierarchies in order to devise an original framework to operationalize research on how institutional practice impinges on norm development To this end the book resorts to an original creole vocabulary which combines the contributions of post positivist constructivist scholars with the legacy of key post modernist thinkers such as Michel Foucault and Jacques Derrida as well as critical approaches to International Criminal Law and Post Colonial Studies The book will appeal to scholars of international relations and international law in addition to critical scholars more broadly as well as to practitioners in the fields of human rights and international justice interested in normative theory and the implementation and contestation of international social norms

**The President on Trial** Sharon Weill, Kim Thuy Seelinger, Kerstin Bree Carlson, 2020-05-27

During the 1980s thousands of Chadian citizens were detained tortured and raped by then President Hiss ne Habr s security forces Decades later Habr was finally prosecuted for his role in these atrocities not in his own country or in The Hague but across the African continent at the Extraordinary African Chambers in Senegal By some accounts Habr s trial and conviction by a specially built court in Dakar is the most significant achievement of global criminal justice in the past decade Simply creating a court and commencing a trial against a deposed head of state was an extraordinary success With its 2016 judgment affirmed on appeal in 2017 the hybrid tribunal in Senegal exceeded expectations working to deadlines and within its budget with no murdered witnesses or self dealing officials This book details and contextualizes the Habr trial It presents the trial and its impact using a novel structure of first person accounts from 26 direct actors Part I accompanied by academic analysis from leading experts on international criminal justice Part II Combined these views present both local and international perspectives through distinct but inter locking parts empirical source material from understudied actors both within and outside the court is then contextualized with expert analysis that reflects on the construction and work of the Extraordinary African Chamber EAC as well as wider themes of international criminal law Together with an introduction laying out the work and significance of the EAC and its trial of Hiss ne Habr the book is a comprehensive consideration of a history making trial



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