

Roelof Haveman, Olga Kavran, Julian Nicholls [eds.]

Supranational Criminal Law: a System Sui Generis



intersentia

Supranational Criminal Law Supranational Criminal Law

**Robert Cryer, Håkan Friman, Darryl
Robinson, Elizabeth Wilmshurst**



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Supranational Criminal Law Roelof Haveman, Olga Kavran, Julian Nicholls (LL. M.), 2003 What exactly is the context in which all aspects of this new field of criminal law have to be interpreted What does the principle of legality mean in the context of supranational criminal law Which tradition lies at the basis of this new law system Is supranational criminal law as it grows the result of a deliberate policy tending towards a coherent system Or is it merely the result of crisis management Those are some of the questions that are highlighted in this first Volume of the Supranational Criminal Law series Answers are formulated with respect for the various law families and traditions taking into account the differences between e g inquisitorial and adversarial penal systems and between criminal law and international humanitarian law In doing so in this book full credit is given to the sui generis character of supranational criminal law The contributions have been written by a group of scholars and practitioners in the field of supranational criminal law This volume will therefore be very useful to lawyers judges prosecutors and academics who are confronted with the various aspects of this new and exciting penal system

Supranational Criminal Prosecution of Sexual Violence Anne-Marie de Brouwer, Anne-Marie L. M. de Brouwer, 2005 The 1996 report of the United Nations Special Rapporteur on Rwanda stated that during the 1994 genocide in Rwanda rape was the rule and its absence the exception Indeed rape and other forms of sexual violence as constituting genocide crimes against humanity or war crimes directed in particular against women have taken place on a massive scale since time immemorial and are still rampant

Principles of International Criminal Law 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

Series Supranational Criminal Law, 2003 **Supranational Criminal Law**, 2003 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 Sentencing and Sanctioning in Supranational Criminal Law Roelof Haveman, 2006 The supranational system is still under construction and will be so for at least some decades before it

can be called a consistent system with an intrinsic logic Sentencing and sanctioning is one of the issues in which this becomes clear The ICC complementarity principle the principle of legality the execution of sanctions and the relation of the supranational system to domestic systems such as the Rwandan gacaca are all topics to be thoroughly discussed The uplifting of a penal system from a relatively small community an individual state with relative agreement on basic aspects of punishing to the mondial per definition heterogeneous level where no such agreement exists reveals many controversies Opinions on all aspects of sanctioning differ widely all over the world What is the proper sanction for a crime against humanity or an act of genocide And whom to punish Controversy exists regarding States children child soldiers and mentally incapable offenders as punishable subjects Questionable also are the goals of the supranational criminal justice system and whether these goals are achieved Too often these supranational goals seem to be supra natural as well Goals steer the system in choosing the number of accused to be prosecuted and judged and the quality of its proceedings but also questions such as whether a detainee has the right to be visited by a prostitute These are some of the questions that are highlighted in this fourth Volume of the Supranational Criminal Law series **Supranational Criminal Law** , *European Criminal Law* Kai

Ambos,2018-06-07 Since their creation the European Union and the Council of Europe have worked to harmonise the justice systems of their member states This project has been met with a series of challenges European Criminal Law offers a compelling insight into the development and functions of European criminal law It tracks the historical development of European criminal law offering a detailed critical analysis of the criminal justice systems responsible for its implementation While the rapid expansion and transnationalisation of criminal law is a necessary response to the growing numbers of free movement of persons and goods it has serious implications for the rights of European citizens and needs to be balanced with rights protections With its close analysis of secondary legislation and reliance on a wide variety of original sources this book provides a thorough understanding of European Criminal Law and the institutions involved **The Constitutional**

Dimension of European Criminal Law Ester Herlin-Karnell,2012-05-31 Criminal law is one of the most rapidly changing areas of contemporary EU law and integration The Treaty of Lisbon has elevated it to a central place in the constitution of the EU within the dynamic area of freedom security and justice The phenomenon of EU criminal law as such is however far from new but has developed on an ad hoc basis not least as a result of the case law of the European Court of Justice Central to the Court s reasoning in this area has been the principle of effectiveness A main theme running through the book is therefore the role of the axiom of effectiveness which is critically examined with particular attention to its use by the European Court of Justice in recent leading cases This book explores the constitutional principles underlying it both those determining the substantive values it embodies and those determining its scope and extent Other chapters consider the phenomenon of preventative criminalisation at EU level and the protection of subsidiarity and proportionality in EU criminal law The balance between effective EU action proper control of competence and adequate protection of individual rights is of

growing importance as EU criminal law expands but as this book suggests has not yet been fully articulated or entrenched by the institutions of the EU

International Law in the Netherlands Sik Ko Swan, A M Stuyt, H F Panhuys, J W Josephus Jitta, Wybo P Heere, 1979-02

Supranational Criminal Law in Netherlands Theory and Practice Bernard Victor Aloysius Röling, 1979

The Evolution of Supranational Criminal Justice, 2004

Harmonization of Criminal Law in Europe Erling Johannes Husab©1, Asbjørn Strandbakken, 2005 Colloquium was held at the Faculty of Law University of Bergen on 20 21 February 2004 P v

Supranational Criminology Alette Smeulers, Roelof Haveman, 2008 The study of international crimes such as war crimes crimes against humanity and genocide deserves to grow into a separate and fully fledged specialization within criminology called supranational criminology Supranational criminology entails the study of international crimes behavior that shows affinity with these crimes the causes and the situations in which they are committed as well as interventions and their effectiveness What exactly entails supranational criminology What are international crimes Should other forms of behavior also be qualified as international crimes What are the specific characteristics of international crimes as forms of state sponsored or state facilitated crimes Explanatory theories have to be developed which can be translated into testable hypotheses Which theories from mainstream criminology can provide answers for the prevalence or causes of international crimes Have the international courts and tribunals succeeded in their aim This book repairs the fundamental and historical neglect of criminology and breaks out of a state of denial by putting international crimes on the criminological agenda

Southwestern Journal of Law and Trade in the Americas, 1995

Harmonisation and Harmonising Measures in Criminal Law André Klip, Harmen van der Wilt, 2002 Proceedings of the colloquium Amsterdam 13 14 December 2001 Preliminary page

The United States and International Criminal Tribunals Harry M. Rhea, 2012 The relationship between the United States and international criminal tribunals dates back to at least World War I Currently there are many anti American criticisms throughout the international legal community concerning the foreign relations policies of the United States in particular its position on the International Criminal Court Written by Harry M Rhea an emerging scholar in the field of international criminal justice this book considers over 150 years of United States policies on international criminal tribunals and the prosecution of international crimes Relying on archival research Rhea demonstrates how the United States has remained consistent supporting all multinational and international criminal tribunals without supporting the International Criminal Court In June 2013 the author Dr Harry M Rhea was awarded the Roslyn Muraskin Emerging Scholar Award in the US by the Northeastern Assn of Criminal Justice Sciences in recognition of outstanding scholarly contributions to the advancement of criminal justice within the first five years of his professional career Series Supranational Criminal Law Capita Selecta Vol 14

Individual Criminal Liability for the International Crime of Aggression Gerhard Kemp, 2010 With a foreword by professor Christine Van den Wyngaert Judge at the International Criminal Court Book Jacket

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