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Michael Scharf

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the last forty years from the Torture Convention to the Statute of the International Criminal Court bears his hallmark His writings diplomatic initiatives fieldwork and even litigation have made an unparalleled contribution to the emergence of international criminal law as a distinct discipline within the field of international law This book contains a collection of fifteen scholarly essays written by leading experts from around the world about the theory and practice of modern international criminal law with a focus on Cherif Bassiouni s unique legacy within this important area Among the contributing authors are Louise Arbour UN High Commissioner for Human Rights Mahnoush Arsanjani Chief of the UN Office of Legal Affairs Codification Division Diane Orentlicher UN Independent Expert on Combating Impunity Michael Reisman former President of the Inter American Commission for Human Rights Yves Sandoz Director for International Law of the International Committee of the Red Cross William Schabas Member of the Sierra Leone Truth Commission Brigitte Stern Advocate for the Bosnians in the World Court's Genocide case and Prince Hassan bin Talal first President of the Assembly of States Parties of the International Criminal Court 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 pr paratoires 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 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 Historical Origins of International Criminal Law Morten Bergsmo, CHEAH Wui Ling, SONG Tianving, YI Ping, 2015-11-19 Treatise on International Criminal Law Kai Ambos, 2024-11-20 Since the adoption of the Rome Statute of the International Criminal Court in 1998 international criminal law has rapidly grown in importance This fully updated new edition of the third volume of a Treatise on International Criminal Law offers a comprehensive analysis of the procedures and implementation of international law by international criminal tribunals and the International Criminal Court Through analysis of the framework of international criminal procedure this volume considers each stage in the process of proceedings before the ICC including the role of legal participants the scope of jurisdiction and the enforcement of sentences This new edition has been expanded to include updated case law and relevant scholarly literature Among others it contains new sub sections on non judicial investigative mechanisms special forms of digital evidence the submission approach to material and information trial management and political elements within the interests of justice The full three volume treatise addresses the entirety of international criminal law re stating and re examining the fundamental principles upon which it rests the manner it is enacted and the key issues that are shaping its future It is essential reading for practitioners scholars and students of international criminal law alike

International Criminal Law, Volume 1: Sources, Subjects and Contents M. Cherif Bassiouni,2008-12-31 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 From its Origins to the ICC The Crime of Aggression and the International Criminal Court Chapter 4 War Crimes Crimes Against Humanity 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

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