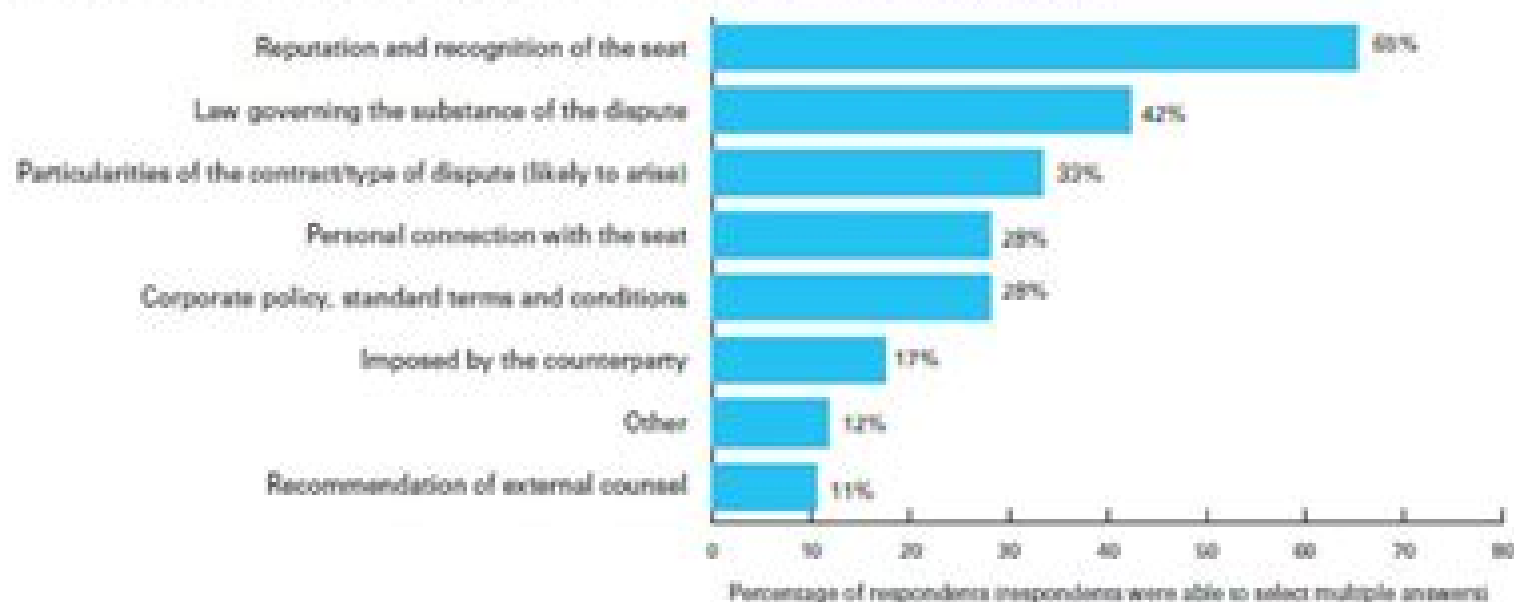


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2015 International Arbitration Survey, Improvements and Innovations in International Arbitration, p. 13

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Megumi Ochi



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Substantive and Procedural Aspects of International Criminal Law: Commentary, 2000 Substantive and Procedural Aspects of International Criminal Law, 2000 *Substantive and Procedural Aspects of International Criminal Law* Gabrielle Kirk McDonald, Olivia Swaak-Goldman, 2022-10-24 The second volume of this unique two volume work seeks for the first time to address in a comprehensive fashion both substantive and procedural aspects of international criminal law as applied by international and national courts Substantive topics include individual criminal responsibility genocide war crimes crimes against humanity crimes against UN and associated personnel core crimes and defenses while procedural aspects include the right of suspects and accused the protection of victims and witnesses and pre trial trial and appeal procedures and practices In addressing these subjects the work focuses on the practical application of the relevant norms and provides both detailed commentaries by experts in the field Commentary volume as well as the underlying documentation for each of the topics addressed Documents and Cases volume With the establishment of the International Criminal Court the experiences of other international courts notably the ad hoc tribunals for the former Yugoslavia and Rwanda as well as their predecessors in addressing these issues are of great value and this work is intended to assist practitioners and scholars alike Additionally because national courts still have a vital role to play in the application of these norms attention is given to prosecutions in national jurisdictions With this work the editors seek both to assist the reader in understanding these important concepts as well as to provide the background documentation such that the reader can conduct his or her own research and come to his or her own conclusions The print edition is available as a set of two volumes 9789041111357 Substantive and Procedural Aspects of International Criminal Law : The Experience of International and National Courts Gabrielle Kirk McDonald, 2000-03-01 *An Introduction to International Criminal Law and Procedure* Robert Cryer, Håkan Friman, Darryl Robinson, Elizabeth Wilmshurst, 2014-06-12 By offering both a comprehensive update and new material reflecting the continuing development of the subject this continues to be the leading textbook on international criminal law Its experienced author team draws on its combined expertise as teachers scholars and practitioners to offer an authoritative survey of the field The third edition contains new material on the theory of international criminal law the practice of international criminal tribunals the developing case law on principles of liability and procedures and new practice on immunities It offers valuable supporting online materials such as case studies worked examples and study guides Retaining its comprehensive coverage clarity and critical analysis it remains essential reading for all in the field *The Premises of International Criminal Procedure* Megumi Ochi, 2024-11-22 How does international criminal procedure differ from any domestic legal principles and why What premises of international criminal procedure do give rise to such differences Can we provide any unified socio legal explanation for the differences between the procedure of the International Criminal Court and the domestic legal principles This boils down to the question what are the premises inherent in

international criminal procedure Applying the premise theory of general principles of law this book conducts a comparative analysis of various general principles of international criminal procedure with corresponding principles that are valid domestically and in general international law and identifies special premises in the procedural law of the ICC This book discloses the four points that have not been identified in previous studies A the fact that the value of international criminal procedure frequently mentioned in previous studies has not actually had much of an impact i the premise of seriousness of the core crime has little influence at the procedural level and ii the premise of deterring illegal investigations has little impact B the factors that have not been recognized as circumstances or values on which international criminal procedure is premised in previous research significantly influence international criminal procedure iii the entire procedure is based on the primitive premise of speed and first come first served and iv the impact of the premise of consideration for national sovereignty which is associated with the fact that the ICC is an international organization based on a treaty is critical The ICC s institutional premises of the value of expeditiousness and lacking centralized control over its limbs have had a significant impact on the various aspects of international criminal procedure

Procedure and Substance in International Environmental Law Jutta Brunnée, 2021-02-22 The interplay between procedure and substance has not been a major point of contention for international environmental lawyers Arguably the topic s low profile is due to the mostly uncontroversial nature of the field s distinction between procedural and substantive obligations Furthermore the vast majority of environmental law scholars and practitioners have tended to welcome the procedural features of multilateral environmental agreements and their potential to promote regime evolution and effectiveness However recent developments have served to put the spotlight on certain aspects of the procedure substance topic ICJ judgments revealed ambiguity on aspects of the customary law framework on transboundary harm prevention that the field had thought largely settled In turn in the treaty context the Paris Agreement s retreat from binding emissions targets and its decisive turn towards procedure reignited concerns in some quarters over the proceduralization of international environmental law The two developments invite a closer look at the respective roles of and the relationship between procedure and substance in this field and more specifically in the context of harm prevention under customary and treaty law

Minority Groups and Judicial Discourse in International Law Gaetano Pentassuglia, 2009 Set against previous stages of minority protection under international law this book discusses the role of courts and court like bodies particularly in the Americas Africa and Europe in articulating and accommodating the interests and needs of ethno cultural minority groups as part of the human rights discourse Conceptually it exposes different moments of intervention by such bodies involving the recognition of group existence or identity the adjustment of human rights norms to accommodate the group s perspectives the establishment of processes designed to address the complexities resulting from competing claims and the expansion of procedural avenues within litigation The result is a fresh comparative practical and theoretical perspective on international jurisprudence as an emerging distinctive

component in the complex history of the field Substantive and Procedural Aspects of International Criminal Law Gabrielle Kirk McDonald, 2000-03-01 This unique two volume work seeks for the first time to address in a comprehensive fashion both substantive and procedural aspects of international criminal law as applied by international and national courts Substantive topics include individual criminal responsibility genocide war crimes crimes against humanity crimes against UN and associated personnel core crimes and defenses while procedural aspects include the right of suspects and accused the protection of victims and witnesses and pre trial trial and appeal procedures and practices In addressing these subjects the work focuses on the practical application of the relevant norms and provides both detailed commentaries by experts in the field Commentary volume as well as the underlying documentation for each of the topics addressed Documents and Cases volume With the establishment of the International Criminal Court the experiences of other international courts notably the ad hoc tribunals for the former Yugoslavia and Rwanda as well as their predecessors in addressing these issues are of great value and this work is intended to assist practitioners and scholars alike Additionally because national courts still have a vital role to play in the application of these norms attention is given to prosecutions in national jurisdictions With this work the editors seek both to assist the reader in understanding these important concepts as well as to provide the background documentation such that the reader can conduct his or her own research and come to his or her own conclusions

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

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