

**slobodan milosevic**  
**on trial: a companion**



**michael p. scharf**  
**william a. schabas**



# Slobodan Milosevic On Trial A Companion

**Janine Natalya Clark**



## **Slobodan Milosevic On Trial A Companion:**

**Prosecuting Slobodan Milošević** Nevenka Tromp, 2016-04-14 This book offers a comprehensive analysis of the trial of former Serbian leader Slobodan Milošević at the International Criminal Tribunal for the former Yugoslavia ICTY. With the premature death of Milošević in March 2006 his trial was left unfinished. Although the traditional objectives of criminal law such as retribution, justice for victims and deterrence were not achieved, the Milošević trial archive is a significant historical resource for researchers from various fields. This book extracts details from the collection of documentary and transcript evidence that makes up the trial record, sources which would be almost impossible to extricate without an insider's guiding hand to allow readers to trace the threads of several historical narratives. The value of this methodology is particularly evident in the Milošević case as acting as his own defence counsel he responded to and interacted with almost all witnesses and evidence presented against him. By providing snapshots of the behaviour displayed by Milošević in court while conducting his defence in combination with passages of carefully selected evidence from an immense archive familiar to few scholars, this volume reveals how these trial records and trial records in general are a truly invaluable historical source. The book underlines the premise that any record of a mass atrocities trial, whether finished or unfinished, establishes a record of past events, contributes to interpretations of a historical period and influences the shaping of collective memory. This book will be of much interest to students of the Former Yugoslavia war crimes, international law, human rights, international relations and European politics.

**Slobodan Milosevic on Trial** Michael P. Scharf, Slobodan Milošević, William Schabas, 2002-07-18 From 1991 to 1999 Slobodan Milosevic launched and ultimately lost four Balkan wars resulting in the deaths of hundreds of thousands and the displacement of millions. He saw himself as a modern day Abe Lincoln, employing force in a valiant effort to hold his crumbling Yugoslavia together. But the ruthless Serb leader's tactics included systematic war crimes and ethnic cleansing, ultimately prompting the U.S. and its NATO allies to launch a controversial military intervention in the spring of 1999 to halt the bloodshed. Now Milosevic is on trial in The Hague before the United Nations created International War Crimes Tribunal. He is the first former head of state ever to face international justice. The televised trial of Slobodan Milosevic is expected to last for two years and could well prove to be the most watched criminal proceedings since the trial of O.J. Simpson. There is much the public will want to know about this historic and complex trial. Written in a lively journalistic style by two of the leading experts on the International War Crimes Tribunal, *Slobodan Milosevic on Trial: A Companion* is designed to inform the reader about what to watch for, who the players are, what the rules are, who has won in the past and who is likely to win this time. Complete with maps, photos and a glossary of legal terms, this comprehensive guide to the Milosevic trial will help the public understand the important and complex proceedings taking place in The Hague.

**The Milošević Trial** Timothy William Waters, 2015 The international trial of Slobodan Milosevic, who presided over the violent collapse of Yugoslavia, was already among the longest war crimes trials when Milosevic died in 2006. Yet precisely because it ended

without judgment its significance and legacy are specially contested The contributors to this volume including trial participants area specialists and international law scholars bring a variety of perspectives as they examine the meaning of the trial s termination and its implications for post conflict justice The book s approach is intensively cross disciplinary weighing the implications for law politics and society that modern war crimes trials create **The Cambridge Companion to International Criminal Law** William A. Schabas,2016-01-07 This comprehensive introduction to international criminal law addresses the big issues in the subject from an interdisciplinary perspective Expert contributors include international lawyers judges prosecutors criminologists and historians as well as the last surviving prosecutor of the Nuremberg Trials Serving as a foundation for deeper study each chapter explores key academic debates and provides guidelines for further reading The book is organised around several themes including institutions crimes and trials Purposes and principles place the discipline within a broader context covering the relationship with human rights law transitional justice punishment and the imperatives of peace Several tribunals are explored in depth as are many emblematic trials The book concludes with perspectives on the future The Elgar Companion to the International Criminal Court Margaret deGuzman,Valerie Oosterveld,2020-12-25 This comprehensive Companion examines the achievements and challenges of the International Criminal Court ICC the world s first permanent international criminal tribunal It provides an overview of the first two decades of the ICC s existence investigating the dominant narratives and counter narratives that have emerged about the institution and its work Global Justice Kingsley Chiedu Moghalu,2006-10-30 After a controversial war in which he was ousted and captured by United States forces Saddam Hussein was arraigned before a war crimes tribunal Slobodan Milosevic died midway through his contentious trial by an international war crimes tribunal at The Hague Calls for intervention and war crimes trials for the massacres and rapes in Sudan s Darfur region have been loud and clear and the United States remains fiercely opposed to the permanent International Criminal Court Are war crimes trials impartial apolitical forums Has international justice for war crimes become an entrenched aspect of globalization In Global Justice Moghalu examines the phenomenon of war crimes trials from an unusual political perspective that of an anarchical international society After a controversial war in which he was ousted and captured by United States forces Saddam Hussein was arraigned before a war crimes tribunal Slobodan Milosevic died midway through his contentious trial by an international war crimes tribunal at The Hague Calls for intervention and war crimes trials for the massacres and rapes in Sudan s Darfur region have been loud and clear and the United States remains fiercely opposed to the permanent International Criminal Court Are war crimes trials impartial apolitical forums Has international justice for war crimes become an entrenched aspect of globalization In Global Justice Moghalu examines the phenomenon of war crimes trials from an unusual political perspective that of an anarchical international society He argues that contrary to conventional wisdom war crimes trials are neither motivated nor influenced solely by abstract notions of justice Instead war crimes trials are the product of the interplay of political forces that have led

to an inevitable clash between globalization and sovereignty on the sensitive question of who should judge war criminals From Germany's Kaiser Wilhelm to the Japanese Emperor Hirohito from the trials of Milosevic Saddam Hussein and Charles Taylor to Belgium's attempts to enforce the contested doctrine of universal jurisdiction Moghalu renders a compelling tour de force of one of the most controversial subjects in world politics He argues that necessary though it was international justice has run into a crisis of legitimacy While international trials will remain a policy option local or regional responses to mass atrocities will prove more durable *The Principle of Complementarity in International Criminal Law* Mohamed El Zeidy, 2008-12-31 The principle of complementarity is the corner stone for the operation of the International Criminal Court ICC It organizes the functional relationship between domestic courts and the ICC This is the first careful study of the historical antecedents of the principle of complementarity which has become so central to the operation of contemporary international criminal law The study draws upon the first efforts at international prosecution after the First World War and then traces the evolution of the concept through the drafting of the 1937 treaty on terrorism and the post Second World War tribunals It examines in an exhaustive manner the work of the International Law Commission that led to the drafting of the Rome Statute of the International Criminal Court up to the deposit of the draft statute with the UN General Assembly in 1994 It considers the travaux préparatoires of the Rome Statute itself in a most thorough manner It also examines the post Rome developments particularly the original interpretations of the relevant provisions of the Statute by both the Office of the Prosecutor and the Pre Trial Chambers This is a study that is of intrinsic historical interest but also one that may help to guide interpreters of the Statute in the years to come The concept of complementarity lies at the heart not only of the Rome Statute of the International Criminal Court it is in many respects the underlying paradigm of international criminal justice as a whole In this important study Mohamed El Zeidy has drawn on historical sources tracing the evolution of the concept and then showing how it has become operationalised in the first cases before the International Criminal Court This book belongs in the library of every international criminal lawyer Prof William A Schabas OC MRIA National University of Ireland Galway

**Customary International Law in Times of Fundamental Change** Michael P. Scharf, 2013-05-31 The first book to explore the concept of Grotian Moments named for Hugo Grotius who helped marshal in the modern system of international law

**Atrocities on Trial** Patricia Heberer, Jürgen Matthies, 2008-04-01 These essays are organised into four sections dealing with the history of war crime trials from Weimar Germany to just after World War II the sometimes diverging Allied attempts to come to terms with the Nazi concentration camp system the ability of postwar societies to confront war crimes of the past and the legacy of war crime trials

**Genocide at the Millennium** Samuel Totten, 2017-12-02 Genocide at the Millennium is the fifth volume in the acclaimed series Genocide A Critical Bibliographical Review This latest volume's focus is both the genocidal activity that has taken place over the past fourteen years including that in Rwanda and the former Yugoslavia as well as a critique of the international community's response to genocide and potential genocidal situations

including those of the United Nations and nongovernmental organizations Genocide at the Millennium is divided into ten chapters The opening chapter treats the Yugoslav genocide discussing the causes of the conflict the violence that ensued the reaction of the international community and the ramifications that are still being felt in that part of the world today Chapter 2 provides a detailed and thought provoking examination of the causes results and ramifications of the 1994 Rwandan genocide Chapter 3 examines the conflict in Kosovo and the events surrounding the controversial intervention by NATO Chapter 4 discusses the remarkable efforts and successes that various non governmental agencies have had in addressing a wide variety of issues related to genocide Chapter 5 examines the United Nations efforts to address the issue of genocide at the turn of the century The role of individual states confronting issues and cases of genocide is analyzed in chapter 6 Chapter 7 gives a solid overview of the evolution of international law as it pertains to the crime of genocide and how and why major changes in such law have begun to take place in the 1990s and early 2000s The international criminal tribunals for Rwanda and the former Yugoslavia are considered in chapters 8 and 9 The concluding chapter provides an extremely detailed and highly informative overview of key aspects of the International Criminal Court In keeping with the multidisciplinary approach of previous volumes in the series each of the essays and accompanying annotated **Genocide** Adam Jones, 2010-09-13 Genocide A Comprehensive Introduction is the most wide ranging textbook on genocide yet published The book is designed as a text for upper undergraduate and graduate students as well as a primer for non specialists and general readers interested in learning about one of humanity s enduring blights Fully updated to reflect the latest thinking in this rapidly developing field this new edition provides an introduction to genocide as both a historical phenomenon and an analytical legal concept including an extended discussion of the concept of genocidal intent and the dynamism and contingency of genocidal processes discusses the role of state building imperialism war and social revolution in fueling genocide supplies a wide range of full length case studies of genocides worldwide each with an accompanying box text explores perspectives on genocide from the social sciences including psychology sociology anthropology political science international relations and gender studies considers The Future of Genocide with attention to historical memory and genocide denial initiatives for truth justice and redress and strategies of intervention and prevention Written in clear and lively prose liberally sprinkled with over 100 illustrations and maps and including personal testimonies from genocide survivors Genocide A Comprehensive Introduction has established itself as the core textbook of the new generation of genocide scholarship An accompanying website [www.genocidetext.net](http://www.genocidetext.net) features a broad selection of supplementary materials teaching aids and Internet resources

**War Crimes, Genocide, and the Law** Arnold Krammer, 2010-04-09 This timely handbook offers an examination of man s history of war crimes and the parallel development of rules of war to prevent them in the future Kosovo Rwanda Sierra Leone Darfur Auschwitz War crimes have occurred in regions around the world and continue to this day Although atrocities are as old as war itself they did not become punishable crimes until the law evolved to define them as such War Crimes Genocide

and the Law A Guide to the Issues examines the types of war crimes and the motivations behind them as well as the laws that seek to control and abolish these heinous acts Within the handbook centuries of war crimes and genocides are analyzed and catalogued At the same time the author offers a history of the development of the rules of war enabling readers to grasp the importance of such precedent setting events as the 1946 Nuremberg Trials and to see the gradual evolution of the laws

intended to punish perpetrators and prevent future barbarism **Moral Accountability and International Criminal Law**

Kirsten Fisher,2013-03 In the past couple of decades an autonomous international system of law has aggressively developed to deal with individual criminal responsibility for the most heinous of crimes However the development and application of the international criminal system is mired in criticism and concern While international criminal law is playing an increasingly important role in global politics and issues of global security normative theory has not kept pace with the advancements in this area of law This book examines international criminal law ICL from a normative perspective setting out how individuals ought to be held accountable to the world for their contribution to atrocity In addition to addressing the normative basis for ICL the book provides criteria for determining the kinds of actions that should be addressed through international criminal law It asks and answers how individual responsibility can be determined in the context of collectively perpetrated political crimes and whether an international criminal justice system can claim universality in a culturally plural world The book scrutinizes the function of ICL and finally considers how the goals and purpose of international law can be best institutionally supported *The Legislative History of the International Criminal Court (2 vols.)* M. Cherif Bassiouni,William A.

Schabas,2016-10-05 This unique work is an article by article drafting history of the ICC Statute containing all versions of every article in the Statute as it evolved from 1994 to 1998 It also integrates in the Statute s provisions the Elements of the Crimes and the Rules of Procedure and Evidence adopted by the Preparatory Commission 1998 2000 and the Regulations of the Court adopted by the plenary of judges A description of the ICC mechanisms and institutions precedes this article by article legislative history Other relevant documents are also included such as those concerning the privileges and immunities and financial regulations of the Court as well as its relationship with the United Nations This new edition contains the amendments adopted at the Kampala Conference amendments to the Rules of Procedure and Evidence and the Regulations of the Court and references to relevant case law cover ing the first decade of the Court s judicial activity It also offers an insightful first hand account of the drafting process both prior to and during the Rome Diplomatic Conference along with a detailed historical survey of the efforts to establish the ICC Government officials judges practitioners and scholars seeking to interpret and understand the ICC Statute will find this publication unmatched for completeness and ease of use Peace

and Justice Rachel Kerr,Eirin Mobekk,2013-04-26 In recent years there has been a tendency to intervene in the military political and economic affairs of failed and failing states and those emerging from violent conflict In many cases this has been accompanied by some form of international judicial intervention to address serious and widespread abuses of international

humanitarian law and human rights in recognition of an explicit link between peace and justice A range of judicial and non judicial approaches has been adopted in recognition of the fact that there is no one size fits all model through which to seek accountability This book considers the merits and drawbacks of these different responses and sets out an original framework for analysing transitional societies and transitional justice mechanisms Taking as its starting point the post Second World War tribunals at Nuremburg and Tokyo the book goes on to discuss the creation of ad hoc international tribunals in the 1990s hybrid mixed courts the International Criminal Court domestic trials truth commissions and traditional justice mechanisms With examples drawn from across the world including the former Yugoslavia Rwanda Cambodia Timor Leste Sierra Leone Uganda and the DRC it presents a compelling and comprehensive study of the key responses to war crimes Peace and Justice is a timely contribution in a world where an ever increasing number of post conflict societies are grappling with the complex issues of transitional justice It will be a valuable resource for students scholars practitioners and policy makers seeking to understand past violations of human rights and the most effective ways of addressing them

**Shaping Foreign Policy in Times of Crisis** Michael P. Scharf, Paul R. Williams, 2010-01-11 Shaping Foreign Policy in Times of Crisis grew out of a series of meetings that the authors convened with all ten of the living former U S State Department legal advisers from the Carter administration to that of George W Bush Based on their insider accounts of the role that international law actually played during the major crises on their watch the book explores whether international law is real law or just a form of politics that policymakers are free to ignore whenever they perceive it to be in their interest to do so Written in a style that will appeal to the casual reader and serious scholar alike the book includes a foreword by the Obama administration s State Department legal adviser Harold Koh background on the theoretical underpinnings of the compliance debate an in depth case study of the treatment of detainees in the war on terror and a comprehensive glossary of the terms names places and events that are discussed in the book

**International Trials and Reconciliation** Janine Natalya Clark, 2014-06-20 Transitional justice is a burgeoning field of scholarly inquiry Yet while the transitional justice literature is replete with claims about the benefits of criminal trials too often these claims lack an empirical basis and hence remain unproven While there has been much discussion about whether criminal trials can aid reconciliation the extent to which they actually do so in practice remains under explored This book investigates the relationship between criminal trials and reconciliation through a particular focus on the International Criminal Tribunal for the former Yugoslavia ICTY Using detailed empirical data in the form of qualitative interviews and observations from five years of fieldwork to assess and analyze the ICTY s impact on reconciliation in Bosnia Hercegovina Croatia and Kosovo International Trials and Reconciliation Assessing the Impact of the International Criminal Tribunal for the former Yugoslavia argues that reconciliation is not a realistic aim for a criminal court They are Janine Clark argues only one part of a rich tapestry of justice which must also include non retributive transitional justice processes and mechanisms Challenging many of the common yet untested



assumptions about the benefits of criminal trials this innovative and extremely timely monograph will be invaluable for those with interests in the theory and practice of transitional justice Peace with Justice? Paul R. Williams, Michael P. Scharf, 2002 In this work two former State Department lawyers provide an account of how and why justice was misapplied and mishandled throughout the peace builders efforts to settle the Yugoslav conflict The text is based on their personal experience research and interviews with key players in the process 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 The Development of Institutions of Human Rights L. Barria, S. Roper, 2010-06-07 During the transition to democracy states have used various mechanisms to address previous human rights abuses including trials truth and reconciliation commissions and internationalized tribunals This volume analyzes the transitional justice choices made by four countries Argentina Bosnia Herzegovina BiH Sierra Leone and East Timor

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