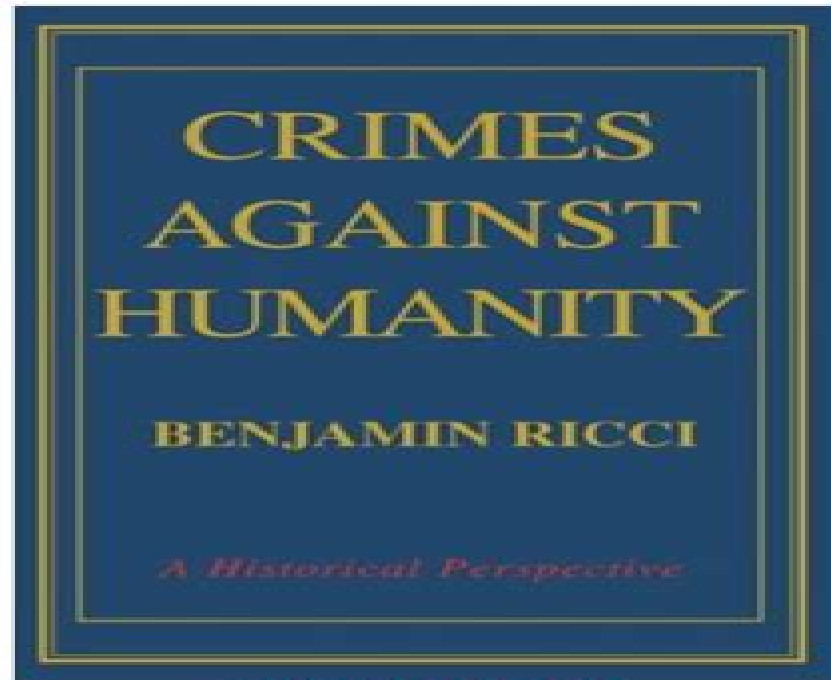


Crimes Against Humanity: A Historical Perspective



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Benjamin Ricci



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Crimes Against Humanity Benjamin Ricci, 2004-05 An accounting of the celebrated historically significant and precedent setting class action suit Robert Simpson Ricci et al plaintiffs v Milton Greenblatt M D et al defendants was authored by Benjamin Ricci retired professor emeritus University of Massachusetts at Amherst father and next friend of Robert Simpson Ricci principal plaintiff *Forging a Convention for Crimes against Humanity* Leila Nadya Sadat, 2011-03-28 Crimes against humanity were one of the three categories of crimes elaborated in the Nuremberg Charter However unlike genocide and war crimes they were never set out in a comprehensive international convention This book represents an effort to complete the Nuremberg legacy by filling this gap It contains a complete text of a proposed convention on crimes against humanity in English and in French a comprehensive history of the proposed convention and fifteen original papers written by leading experts on international criminal law The papers contain reflections on various aspects of crimes against humanity including gender crimes universal jurisdiction the history of codification efforts the responsibility to protect ethnic cleansing peace and justice dilemmas amnesties and immunities the jurisprudence of the ad hoc tribunals the definition of the crime in customary international law the ICC definition the architecture of international criminal justice modes of criminal participation crimes against humanity and terrorism and the inter state enforcement regime

An Introduction to International Criminal Law and Procedure Robert Cryer, 2010-05-27 This market leading textbook gives an authoritative account of international criminal law and the investigation and prosecution of crime and guides the reader through controversies with an accessible and sophisticated approach Now covers developments in the ICC victims rights alternatives to international criminal justice and has extended coverage of terrorism

Fighting and Victimhood in International Criminal Law Joanna Nicholson, 2017-10-12 The act of fighting or being a fighter has certain consequences in international law The most obvious example can be found in international humanitarian law where a distinction is drawn between fighters and civilians with fighters being military objectives and civilians being protected from attack Another example is from international human rights law where it has been held that the particular characteristics of military life have to be taken into account when interpreting the human rights of members of state armed forces This volume focuses on the field of international criminal law and asks the question what relevance does fighting have to victimhood in international criminal law Among the topics which are explored are how have international criminal courts and tribunals untangled lawful casualties of war from victims of war crimes How have they determined who is a member of an organised armed group and who is not What crimes can those who fight be victims of during hostilities When does it become relevant in international criminal law that an alleged victim of a crime was a person hors de combat rather than a civilian Can war crimes be committed against members of non opposing forces Can persons hors de combat be victims of crimes against humanity and genocide What special considerations surround peacekeepers and child soldiers as victims of international

crimes The author carries out an in depth exploration of case law from international criminal courts and tribunals to assess how they have dealt with these questions She concludes that the import of fighting upon victimhood in the context of international criminal law has not always been appreciated to the extent it should have been

Cultural Heritage Issues

James A.R. Nafziger, Ann M. Nicgorski, 2009-12-07 The global community dependent as always on the cooperation of nation states is gradually learning to address the serious threats to the cultural heritage of our disparate but shared civilizations The legacy of conquest colonialization and commerce looms large in defining and explaining these threats The essays contained in this challenging volume are based on papers presented at an international conference on cultural heritage issues that took place at Willamette University The conference sought to generate fresh ideas about these cultural heritage issues offer a good sense of their nuances and complexities and reveal how culture law and ethics can interact complement diverge and contradict one another This book seeks to accomplish these purposes What it explores is the fact that allong with an emerging blend of adversarial and collaborative processes to address cultural heritage issues has come a substantial broadening of the normative framework in recent years This framework now spans a welter of issues ranging from the creation of cultural safety zones during armed conflict to the ongoing rectification of genocidal conquest during the European Holocaust and World War II to the treatment of shipwrecks and their cargo to the protection of folklore and other intangibles to the promotion of traditional knowledge in the interest of biological diversity All of these topics are controversial as are the legal instruments that incorporate them but the issues they embrace are vital to us all whether our viewpoint is in the global arena a national legislature a courtroom a classroom an archaeological site or a museum

Humanity's Law Ruti G. Teitel, 2011-10-07 Teitel presents an analysis of a recent change in international human rights law Offering examples from around the world she argues that post Cold War history has witnessed a key transformation the normative emphasis of the international legal order has been shifting from state security to human security

Perspectives on the Nuremberg Trial

Guénaél Mettraux, 2008-03-27 The trial of major Nazi war criminals in Nuremberg was a landmark event in the development of modern international law and continues to be highly influential in our understanding of international criminal law and post conflict justice This volume offers a unique collection of the most important essays written on the Trial discussing the key legal political and philosophical questions raised by the Trial both at the time and in historical perspective The collection focuses on pieces from those involved in the Tribunal discussing the establishment of the Tribunal the Trial itself and the debate that followed the Judgment Also included are representative essays of the academic debate that has surrounded Nuremberg in the sixty years since the Trial Ranging from the contribution of Nuremberg to the substantive development of international criminal law to the philosophical evaluation of legalism in post conflict international relations the perspectives provided by the essays offer a unique overview of the persistent significance of Nuremberg across a range of academic disciplines The collection also features newly translated essays from key German Russian and French

writers available in English for the first time a new essay by Gu na l Mettraux examining the Nuremberg legacy in contemporary international criminal justice and an exhaustive bibliography of the literature on Nuremberg

Humanness as a Protected Legal Interest of Crimes Against Humanity Rustam Atadjanov, 2019-06-13 Central to this book is the concept of humanity in international law It traces the evolution of that concept within international law studies the existing theories of crimes against humanity and lays out its own theory based on an inclusive view of humanity Crimes against humanity are core crimes under international law their modern definition is found in the Rome Statute However their protective scope remains unclear with the exact meaning of humanity left undefined in law The proposed theory argues that humanity should be understood as humanness and crimes against humanity should be criminalised because humanness constitutes these crimes valid protected interest This volume in the International Criminal Justice Series offers an analysis of the German doctrine of *Rechtsgut* to justify the penalization of crimes against humanity at both domestic and international levels This is the first monograph on crimes against humanity written by an author from the Commonwealth of Independent States CIS aimed at an international audience and should constitute a useful tool for academics students and practitioners of international law Rustam Atadjanov LLB LLM Dr jur attained his Ph D at the University of Hamburg in Germany and is a former Legal Adviser to the Regional Delegation of the International Committee of the Red Cross in Central Asia Tashkent Uzbekistan

Justice as Message Carsten Stahn, 2020-05-27 International criminal justice relies on messages speech acts and performative practices in order to convey social meaning Major criminal proceedings such as Nuremberg Tokyo and other post World War II trials have been branded as spectacles of didactic legality However the expressive and communicative functions of law are often side lined in institutional discourse and legal practice This innovative work brings these functions centre stage developing the idea of justice as message and outlining the expressivist foundations of international criminal justice in a systematic way Professor Carsten Stahn examines the origins of the expressivist theory in the sociology of law and the justification of punishment its articulation in practice and its broader role as method of international law He shows that expression and communication is not only an inherent part of the punitive functions of international criminal justice but is represented in a whole spectrum of practices norm expression and diffusion institutional actions performative aspects of criminal procedures and repair of harm He argues that expressivism is not a classical justification of justice or punishment on its own but rather a means to understand its aspirations and limitations to explain how justice is produced and to ground punishment rationales This book is an invitation to think beyond the confines of the legal discipline and to engage with the multidisciplinary foundations and possibilities of the international criminal justice project

The Right not to Be Subjected to Enforced Disappearance Ioanna Pervou, 2023-08-24 This book offers a distinctive approach to the right not to be subjected to enforced disappearance Over the last decade the entry into force of the UN Convention for the Protection of All Persons from Enforced Disappearance has brought to the forefront of legal

discussion the need to effectively address the practice of disappearance Yet there are still obstacles to combatting it which are in part due to a limited understanding of the rights underlying concept content and scope This book examines the phenomenon and definition of enforced disappearance and sheds new light on the right against disappearance Presenting a doctrinal appraisal of the norms legal value it suggests that the right against enforced disappearance holds a customary value while also arguing that it has since attained a jus cogens status Lastly it examines in detail the rights to truth and reparation and how regional and national courts have interpreted these norms It assesses the UN Convention s dynamics and considers whether the lack of a right against disappearance embedded in regional human rights systems affects individuals protection The book provides an overview of key jurisprudence on disappearances making it of benefit to both practitioners and theorists of international law

Crimes Against Humanity A Historical Perspective Book Review: Unveiling the Magic of Language

In an electronic era where connections and knowledge reign supreme, the enchanting power of language has become more apparent than ever. Its power to stir emotions, provoke thought, and instigate transformation is really remarkable. This extraordinary book, aptly titled "**Crimes Against Humanity A Historical Perspective**," published by a very acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound affect our existence. Throughout this critique, we will delve into the book is central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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