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The International Criminal Court and Africa

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The International Criminal Court Starting With Africa

Ovo Catherine Imoedemhe



The International Criminal Court Starting With Africa:

The International Criminal Court and Africa Evelyn A. Ankumah, 2016 While the ICC can be said to contribute to criminal justice in Africa it cannot be denied that the relationship between the Court and the continent has been troublesome The ICC has been accused of targeting Africa and many African states do not seem willing to cooperate with the Court Debates on Africa and international criminal justice are increasingly politicised *Africa and the International Criminal Court* Gerhard Werle, Lovell Fernandez, Moritz Vormbaum, 2014-09-09 The book deals with the controversial relationship between African states represented by the African Union and the International Criminal Court This relationship started promisingly but has been in crisis in recent years The overarching aim of the book is to analyze and discuss the achievements and shortcomings of interventions in Africa by the International Criminal Court as well as to develop proposals for cooperation between international courts domestic courts outside Africa and courts within Africa For this purpose the book compiles contributions by practitioners of the International Criminal Court and by role players of the judiciary of African countries as well as by academic experts [The International Criminal Court and Africa](#) Charles Jalloh, Ilias Bantekas, 2017 This book considers the legal and political dimensions of the relationship between the International Criminal Court and Africa looking at the role of the European Union African Union and African diplomacy on the issue of sovereignty and impunity for international crimes **The African Criminal Court** Gerhard Werle, Moritz Vormbaum, 2016-11-29 This book offers the first comprehensive and in depth analysis of the provisions of the Malabo Protocol the amendment protocol to the Statute of the African Court of Justice and Human and Peoples Rights adopted by the African Union at its 2014 Summit in Malabo Equatorial Guinea The Annex to the protocol once it has received the required number of ratifications will create a new Section in the African Court of Justice and Human and Peoples Rights with jurisdiction over international and transnational crimes hence an African Criminal Court In this book leading experts in the field of international criminal law analyze the main provisions of the Annex to the Malabo Protocol The book provides an essential and topical source of information for scholars practitioners and students in the field of international criminal law and for all readers with an interest in political science and African studies Gerhard Werle is Professor of German and International Criminal Law Criminal Procedure and Modern Legal History at Humboldt University zu Berlin and Director of the South African German Centre for Transnational Criminal Justice In addition he is an Extraordinary Professor at the University of the Western Cape and Honorary Professor at North West University of Political Science and Law Xi'an China Moritz Vormbaum received his doctoral degree in criminal law from the University of Münster Germany and his postdoctoral degree from Humboldt University zu Berlin He is a Senior Researcher at Humboldt University as well as a coordinator and lecturer at the South African German Centre for Transnational Criminal Justice **International Criminal Court Cases in Africa: Status and Policy Issues** Alexis Arieff, Rhoda Margesson, Marjorie Ann Browne, Matthew C. Weed, 2010 This report provides background on current

International Criminal Court ICC cases and examines issues raised by the ICC's actions in Africa including the potential deterrence of future abuses and the potential impact on African peace processes *The International Criminal Court* Andrew Novak, 2015-03-11 This book is about the International Criminal Court ICC a new and highly distinctive criminal justice institution with the ability to prosecute the highest level government officials including heads of state even in countries that have not accepted its jurisdiction The book explores the historical development of international criminal law and the formal legal structure created by the Rome Statute against the background of the Court's search for objectivity in a political global environment The book reviews the operations of the Court in practice and the Court's position in the power politics of the international system It discusses and clarifies all stages of an international criminal proceeding from the opening of the investigation to sentencing reparations and final appeals in the context of its restorative justice mission Making appropriate comparisons and contrasts between the international criminal justice system and domestic and national systems the book fills a gap in international criminal justice study *An African Criminal Court* Dominique Mystris, 2020-12-03 We are determined to deal once and for all with the scourge of conflicts and violence on our continent acknowledging our shortcomings and errors committing our resources and our best people and missing no opportunity to push forward the agenda of conflict prevention peacemaking peacekeeping and post conflict reconstruction We as leaders simply cannot bequeath the burden of conflicts to the next generation of Africans **Intersections of Law and Culture at the International Criminal Court** Julie Fraser, Brianne McGonigle Leyh, 2020-10-30 This pioneering book explores the intersections of law and culture at the International Criminal Court ICC offering insights into how notions of culture affect the Court's legal foundations functioning and legitimacy both in theory and in practice *An Introduction to the International Criminal Court* William Schabas, 2007-10-18 The International Criminal Court ushers in a new era in the protection of human rights The Court will prosecute genocide crimes against humanity and war crimes when national justice systems are either unwilling or unable to do so themselves This third revised edition considers the initial rulings by the Pre Trial Chambers and the Appeals Chamber and the cases it is prosecuting namely Democratic Republic of Congo northern Uganda Darfur as well as those where it had decided not to proceed such as Iraq The law of the Court up to and including its ruling on a confirmation hearing committing Charles Lubanga for trial on child soldiers offences is covered It also addresses the difficulties created by US opposition analysing the ineffectiveness of measures taken by Washington to obstruct the Court and its increasing recognition of the inevitability of the institution *States of Justice* Oumar Ba, 2020-07-02 This book theorizes the ways in which states that are presumed to be weaker in the international system use the International Criminal Court ICC to advance their security and political interests Ultimately it contends that African states have managed to instrumentally and strategically use the international justice system to their advantage a theoretical framework that challenges the justice cascade argument The empirical work of this study focuses on four major themes around the

intersection of power states interests and the global governance of atrocity crimes firstly the strategic use of self referrals to the ICC secondly complementarity between national and the international justice system thirdly the limits of state cooperation with international courts and finally the use of international courts in domestic political conflicts This book is valuable to students scholars and researchers who are interested in international relations international criminal justice peace and conflict studies human rights and African politics *Affective Justice* Kamari Maxine Clarke, 2019 *The International Criminal Court in an Effective Global Justice System* Linda E. Carter, Mark S. Ellis, Charles Chernor Jalloh, 2016-11-25 International tribunals need to interface effectively with national jurisdictions which includes coordination with domestic judicial prosecutions as well as an appreciation for other non judicial types of transitional justice In this book the authors analyze the earlier international tribunals established since the 1990s and the parallel national proceedings for each In examining the ways in which the ICC can best coordinate with national processes this book considers the ICC s present interactions with national jurisdictions and the statutory framework of the Rome Statute for interface with national jurisdictions *Building the International Criminal Court* Benjamin N. Schiff, 2008-05-05 The International Criminal Court ICC is the first and only standing international court capable of prosecuting humanity s worst crimes genocide war crimes and crimes against humanity It faces huge obstacles It has no police force it pursues investigations in areas of tremendous turmoil conflict and death it is charged both with trying suspects and with aiding their victims and it seeks to combine divergent legal traditions in an entirely new international legal mechanism International law advocates sought to establish a standing international criminal court for more than 150 years Other temporary single purpose criminal tribunals truth commissions and special courts have come and gone but the ICC is the only permanent inheritor of the Nuremberg legacy In *Building the International Criminal Court* Oberlin College Professor of Politics Ben Schiff analyzes the International Criminal Court melding historical perspective international relations theories and observers insights to explain the Court s origins creation innovations dynamics and operational challenges *Africa, the African Union and the International Criminal Court* Marshet Tadesse Tessema, Marlen Vesper-Gräske, 2016-04-08 *The Failure of the International Criminal Court in Africa* Everisto Benyera, 2022-05-18 This book investigates the relationship between the International Criminal Court and Africa the ICC or the Court asking why and how the international criminal justice system has so far largely failed the victims of atrocities in Africa The book explores how the Court degenerated from a very promising multilateral institution to being an instrumentalised politicised weaponised institution that ended up with the victims being the greatest losers Instead of looking at the International Criminal Court as a recent alternative to a prevailing international criminal justice paradigm this book argues that the Court is a manifestation of the same world order that was established by the Reconquista in 1492 Written from a decolonial perspective the book particularly draws on evidence from Zimbabwe in order to demonstrate how the International Criminal Court is failing the victims of the four crimes that fall under its jurisdiction Drawing on the

perspectives of victims in particular this book highlights the damage caused within Africa by the international criminal justice system and argues for a decolonial conception of justice The book will be of interest to researchers from across African politics international relations law and criminal justice State Behavior and the International Criminal Court Franziska Boehme, 2022-06-09 This book analyzes patterns and causes of state cooperation with the International Criminal Court The work focuses on several African cases including those against leading state officials to dive into current debates about compliance with international law and resistance to international courts The book which draws on interview data collected in The Hague Kenya and South Africa reveals the diversity of state behaviors ranging from full compliance and diplomatic support to partial compliance to resistance and exit This redirects the widespread narrative about African resistance against the ICC to include evidence of continued Court support It is argued that the degree of cooperation the Court receives is affected by a government's perceived costs and benefits of executing an ICC request a cooperation request is considered high cost or low cost depending on the suspect's position the type of action requested and the government's domestic and regional policy objectives In response the Court has been careful not to alienate states further thus highlighting that the Court is both above and below the state having the power to charge individuals including state officials but relying on governments sometimes those from which suspects come to take action on behalf of the Court against the same suspects The book will be of interest to academics researchers and policymakers working in the areas of international law human rights international criminal justice and international relations Rule of Law through Human Rights and International Criminal Justice Charles Riziki Majinge, 2015-10-05 This project was undertaken not so much as a farewell to the contribution Adama Dieng has selflessly offered to humanity but mainly as a token of appreciation to his dedication and contribution to the rule of law and human rights especially in his native continent Africa As a high ranking international civil servant diplomat teacher activist and accomplished jurist Adama Dieng has inspired and indeed continues to inspire a generation of men and women both in Africa and beyond with his unqualified commitment to the advancement of the ideals reflected in the United Nations Charter and the Universal Declaration of Human Rights Through his work and commitment to the cause of international justice and conflict prevention he has consistently placed the interests of his fellow men and women and indeed those of his continent before his own interests It is therefore in recognition of his efforts that his fellow jurists friends and colleagues decided to honour his contribution through a collection of essays on a life dedicated to the advancement of international peace and justice through the rule of law The contributions gathered here represent in good measure the values and beliefs in rule of law and human rights that have characterized Adama's commitment to work towards a better Africa and a better world The Complementarity Regime of the International Criminal Court Ovo Catherine Imoedemhe, 2016-11-26 This book analyses how the complementarity regime of the ICC's Rome Statute can be implemented in member states specifically focusing on African states and Nigeria Complementarity is the principle that outlines the primacy of national

courts to prosecute a defendant unless a state is unwilling or genuinely unable to act assuming the crime is of a sufficient gravity for the International Criminal Court ICC It is stipulated in the Rome Statute without a clear and comprehensive framework for how states can implement it The book proposes such a framework and argues that a mutually inclusive interpretation and application of complementarity would increase domestic prosecutions and reduce self referrals to the ICC African states need to have an appropriate legal framework in place implementing legislation and institutional capacity as well as credible judiciaries to investigate and prosecute international crimes The mutually inclusive interpretation of the principle of complementarity would entail the ICC providing assistance to states in instituting this framework while being available to fill the gaps until such time as these states meet a defined threshold of institutional preparedness sufficient to acquire domestic prosecution The minimum complementarity threshold includes proscribing the Rome Statute crimes in domestic criminal law and ensuring the institutional preparedness to conduct complementarity based prosecution of international crimes Furthermore it assists the ICC in ensuring consistency in its interpretation of complementarity

The International Criminal Court in Turbulent Times Gerhard Werle, Andreas Zimmermann, 2019-06-29 The chapters in this book are reworkings of presentations given during a conference held in 2018 at the German Embassy to the Netherlands in The Hague on the occasion of the 20th anniversary of the adoption of the Rome Statute They provide an in depth analysis of major points of contention the International Criminal Court ICC is currently facing such as inter alia head of state immunities withdrawal from the Rome Statute the exercise of jurisdiction vis vis third party nationals the activation of the Court s jurisdiction regarding the crime of aggression as well as the relationship of the Court with both the Security Council and the African Union all of which are issues that have a continued relevance and carry a particular controversy The collection provides insights from both practitioners including judges of the ICC and diplomats who participated in the negotiations leading to the adoption of the Rome Statute as well as well known academics from various parts of the world working in the field of international criminal law The aim of the book is not only to inform and stimulate academic debate on the topic but also to serve as an instrument for lawyers involved in the practice of international criminal law Gerhard Werle is Professor at the Faculty of Law of the Humboldt University in Berlin Germany and Andreas Zimmermann is Professor at the Faculty of Law of the University of Potsdam in Germany J rgen Bering who worked on this book as assistant editor is an Associate at Dentons Berlin and a PhD candidate at the Martin Luther University Halle Wittenberg Germany

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