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International Criminal Justice Series

Volume 4

Illicitly Obtained Evidence at the International Criminal Court

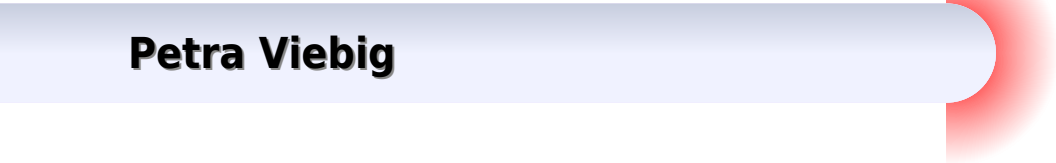
Petra Viebig



Springer

Nice Book Illicitly Obtained Evidence International Criminal

Petra Viebig



Nice Book Illicitly Obtained Evidence International Criminal:

Illicitly Obtained Evidence at the International Criminal Court Petra Viebig, 2016-01-04 This work deals with the exclusion of illicitly obtained evidence at the International Criminal Court At the level of domestic law the so called exclusionary rule has always been a very prominent topic The reason for this is that the way a court of law deals with tainted evidence pertains to a key aspect of procedural fairness It concerns the balancing of the right to a fair trial with the interest of society in effective law enforcement At the international level however the subject has not yet been discussed in detail The present research intends to fill this gap It provides an overview of the approaches of a number of domestic legal systems as well as of the approaches of the UN ad hoc tribunals and the European Court of Human Rights and uses the different perspectives to develop a version of the exclusionary rule which fits the International Criminal Court The book is highly recommended for practitioners and researchers in the field of international criminal law and especially the law of international criminal evidence Petra Viebig is a Public Prosecutor at the Staatsanwaltschaft Hamburg Germany

International Criminal Procedure Göran Sluiter, Sergey Vasiliev, 2013-03-21 The ambitious aim of the work is to create a guiding framework for international criminal procedural law and practices in the future As explained by the working groups the overarching objective of the project is to assist the challenge of delivering fair but also effective trials **FOREWORD Prosecuting**

International Crimes: A Multidisciplinary Approach Bartłomiej Krzan, 2016-07-11 The volume edited by Bartłomiej Krzan offers different perspectives on the prosecution of international crimes The analyses contained therein reflect different backgrounds mainly legal combining several disciplines and making it a multidisciplinary study The main but definitely not the exclusive point of reference is that of international law In addition other perspectives those of legal history or sociology of law and obviously the one of criminal law both substantive and procedural provide useful alternatives or in most occasions complementary approaches to the examination of the prosecution of international crimes The book combines different views backgrounds and underlying assumptions But gathered together they it is to be hoped shed some additional useful light that might be helpful for identifying new dimensions of the reaction judicial or other towards international crimes Contributors Władysław Czapliński Patrycja Grzebyk Witold Jakimko Wojciech Jasiński David Kohout Karolina Kremens Bartłomiej Krzan Krzysztof Maso Neringa Mickevičiūtė Robert Uerpmann Wittzack Regina Valutytė Karolina Wierczyńska Joachim Wolf Loammi Wolf and Justinas Ilinskas

The Prosecution of International Crimes Roger Stenson Clark, Madeleine Sann, 2003-08-01 The post World War Two period has witnessed numerous armed conflicts characterized by extensive violations of relevant obligatory international norms Responding to these events the United Nations General Assembly created a permanent international court in 2003 with jurisdiction over selected international crimes The International Tribunal for the Former Yugoslavia was a precursor to this permanent court It was established for the purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia As a precedent for

what we may expect in the future it deserves special attention from a historical political and especially an international law point of view

The Prosecution of International Crimes comprehensively examines the creation mandate and challenges of the International Tribunal for the Former Yugoslavia Derived from a special issue of Criminal Law Forum An International Journal a peer review journal dedicated to the advancement of criminal law theory practice and reform throughout the world it is now available in paperback Mark Osiel is professor of law at the University of Iowa He is the author of *Mass Atrocity Collective Memory and the Law*

Criminal Law The National People's Congress of China, 2021-04-10 The Criminal Law by The National People's Congress of China is a pivotal text that codifies the legal framework governing criminal offenses and penalties within the People's Republic of China Written in a meticulous and clear legal style this comprehensive document comprises various sections that address crimes defenses and sentencing reflecting the socio-political context of contemporary China Enshrined within these pages is an intricate tapestry of Confucian principles intertwined with Marxist Leninist ideology showcasing the unique legal evolution shaped by historical and cultural currents in the nation Its systematic structure and precise language aim to clarify and unify the legal standards across diverse regions of China while also promoting social order and justice The National People's Congress as the highest state body and legislative authority in China undertakes a significant role in shaping the criminal law landscape Their engagement in the drafting of this law reflects a broader commitment to addressing societal shifts and the evolving nature of crime in a rapidly modernizing society This authoritative text draws on extensive studies of historical legal traditions the reformist spirit of socialist governance and the imperative for greater rule of law This essential volume is recommended for legal scholars practitioners and policy analysts interested in understanding the complexities of Chinese criminal jurisprudence Its insightful exploration of legal principles not only elucidates the operational framework of the Chinese justice system but also invites critical discussions about the balance between state control and individual rights Such a resource serves as an invaluable tool for comprehending the implications of legal reforms within the context of a dynamic global legal landscape In this enriched edition we have carefully created added value for your reading experience A succinct Introduction situates the work's timeless appeal and themes The Synopsis outlines the central plot highlighting key developments without spoiling critical twists A detailed Historical Context immerses you in the era's events and influences that shaped the writing An Author Biography reveals milestones in the author's life illuminating the personal insights behind the text A thorough Analysis dissects symbols motifs and character arcs to unearth underlying meanings Reflection questions prompt you to engage personally with the work's messages connecting them to modern life Hand-picked Memorable Quotes shine a spotlight on moments of literary brilliance Interactive footnotes clarify unusual references historical allusions and archaic phrases for an effortless more informed read

Improperly Obtained Evidence in Anglo-American and Continental Law Dimitrios Giannouloupoulos, 2019-02-21 This is the first book to offer an extensive cosmopolitan cross-cultural insight into the perennial

controversy over the use of improperly obtained evidence in criminal trials It challenges the conventional view that exclusionary rules are idiosyncratic of Anglo American law and highlights the constitutionalisation and internationalisation of criminal evidence and procedure as a cause of rapprochement or divergence beyond the Anglo American and Continental law divide Analysis focuses on confessional evidence and evidence obtained by search and seizure telephone interceptions and other means of electronic surveillance The laws of England and Wales France Greece and the United States are systematically compared and contrasted throughout this study but where appropriate analysis extends to other Anglo American and Continental legal systems The book reviews exclusionary rules vis vis the operation of judicial discretion and explores the normative justifications that underpin them It attempts to reinvigorate the idea of excluding evidence to protect constitutional or human rights the rights thesis arguing that there is significant scope for Anglo American and Continental legal systems to place a renewed emphasis on it particularly in relation to confessional evidence obtained in violation of custodial interrogation rights we can locate an emerging rapprochement and unique potential for European Court of Human Rights jurisprudence to build consensus in this respect In marked contrast remaining divergence with regard to evidence obtained by privacy violations means there is little momentum to adopt a reinvigorated rights thesis more widely Longlisted for the Inner Temple Book Prize 2022 **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

International Criminal Law Deskbook Craig Barker,John Grant,2013-10-18 Attempts to try individuals such as Slobodan

Milosevic and Saddam Hussein for international crimes and the creation of the International Criminal Court highlight the growing currency and importance of international criminal law as a discipline in its own right. Contemporary importance and academic interest in the subject is rapidly eclipsing that in the more mainstream discipline of human rights. For practitioners, scholars and students of international criminal law (ICL) this unique collection provides access to the core international instruments in one convenient volume. Containing seventy nine principal documents on ICL dating from 1919 to 2005, this user friendly book organizes the documents around generally recognised categories of international crimes such as war crimes, crimes against humanity and terrorism. It also includes constitutive instruments of the most important international domestic and hybrid tribunals including the Statute of the International Criminal Court, its rules of procedure and elements of crimes. Principal international and regional instruments which deal with the facilitation of a truly international system of criminal justice in the form of extradition and mutual assistance are also included. Each document has been carefully edited to present information that is directly relevant to international criminal law while all extraneous material has been excluded. Most importantly, each extract has its own introduction which provides the reader with official citations, parties, date of entry into force, an outline of the legislative history, links to related documents and a brief commentary analyzing and contextualizing the principal provisions.

International Criminal Tribunals and Human Rights Law

Krit Zeegers, 2016-04-13. This book addresses the interpretation and application of human rights norms by International Criminal Tribunals (ICTs). Such Tribunals are widely heralded as human rights defenders. At the same time, however, they employ activities that necessarily entail the risk of human rights violations: they conduct criminal investigations, arrest and detain individuals and put them on trial. This book investigates this flip side of the ICTs' relationship with international human rights law and focuses on the ICTs' own interpretation and application of human rights norms. First, the book addresses whether and how ICTs are bound by human rights law, since unlike states they do not sign or ratify human rights conventions. Second, the book provides an in depth analysis of the way in which ICTs interpret and apply human rights norms compared to the way in which these norms are interpreted in a traditional state context. Relying on the unique circumstances in which they operate, ICTs have often deviated from generally accepted interpretations of human rights. The author critically examines this so called contextual approach and seeks to recommend ways in which ICTs can improve their interpretative practice by giving due regard to the context in which they operate while still providing adequate human rights protection. Addressing the ICTs' possible leeway in terms of contextualization, this book contributes to the broader debates about adherence to human rights norms in international law. Krit Zeegers is an Associate at Allen Overy LLP, Amsterdam, and previously worked as a researcher, junior lecturer at the University of Amsterdam.

Serious International Crimes, Human Rights, and Forced Migration

James C. Simeon, 2022-02-10. This volume elucidates and explores the interrelationships and direct causal connection between serious international crimes, serious breaches to fundamental human rights and gross affronts to human dignity that

lead to mass forced migration Forced migration most often occurs in the context of protracted armed conflict of a noninternational nature where terrorism fierce fighting deep animosity tit for tat retaliation and rapid dominance doctrine all lead to the commission of atrocity crimes Accordingly this volume makes a valuable contribution to the literature and to the cause of trying to resolve mass forced displacement at its root cause to explore the course that it takes and how it might be prevented The collection comprises original research by leading legal scholars and jurists focusing on the three central themes of serious international crimes human rights and forced migration The work also includes a Foreword from Sir Howard Morrison QC former President of the Appeals Division of the International Criminal Court The book will be a valuable resource for students academics researchers and policymakers working in the areas of international law migration human rights and international criminal law *Global Anti-Money Laundering Regulation* Nkechikwu

Azinge-Egbiri,Nicholas Ryder,Ehi Eric Esoimeme,2024-11-25 This book explores the politics of money laundering and terrorist financing ML TF regulation in several countries across Africa and the Small Island States Developed countries created the Financial Action Task Force FATF to combat ML TF globally Expectedly the FATF s standards mirror existing banking regulations within the G7 countries Yet the standards apply to all countries irrespective of the limited ML TF risks they pose to the global economy their weak pre conditions for effective regulation and their non involvement in the FATF s framing Still such countries mainly within the Global South have worked hard to amplify their compliance with the regime due to fears of the repercussions of their non compliance This collection demonstrates how the global ML TF regulation is treated as an implicitly superior legal regime where the Global South must comply irrespective of their perception of the FATF s legitimacy challenges It shows that beyond exogenous factors such as neo colonialism endogenous factors such as weak institutions and corruption undermine the compliance trajectory of the Global South Furthermore it analyses the unintended consequences of transplanting FATF standards into diverse legal and cultural contexts The volume contributes to our understanding of the challenges of transplantation from the Global North and how the Global South is steering within the constraints created by the FATF It advocates for a comprehensive understanding of the nuanced compliance challenges of developing countries It further proposes practical solutions to address them emphasizing the importance of risk based understanding accountability capacity building and coordination in achieving effective anti money laundering and counter terrorist financing measures The collection will be essential reading for researchers academics and policy makers working in financial crime regulation and international economic law *Compensation for Wrongful Convictions* Wojciech

Jasiński,Karolina Kremens,2023-03-14 This book presents a comprehensive comparative analysis of the substantive and procedural aspects of compensation for wrongful convictions in European countries and the USA as well as the standard derived from the case law of the European Court of Human Rights The collection draws comparative conclusions as to the similarities and differences between selected jurisdictions and assesses the effectiveness of the national compensation

schemes This enables the designing of an optimum model of compensation offering accessibility and effectiveness to the victims of miscarriages of justice and being acceptable to jurisdictions based on common law and civil law traditions as well as inquisitorial and adversarial types of criminal process Moreover the discussion of the minimum European standard as established in the case law of the European Court of Human Rights enables readers to identify how the Strasbourg Court can contribute to strengthening the compensation scheme The book will be essential reading for students academics and policymakers working in the areas of criminal law and procedure

Heimliche Strafverfolgung und Schutz der Privatheit Pierre Hauck, 2014-04-09 English summary Undercover agents wiretapping online searches Covert law enforcement is increasing Pierre Hauck compares German law English law European Union law and international criminal law The author provides a clear picture of the completely different functional allocation of the protection of privacy to the laws of criminal procedure constitutional laws and human rights laws German description Verdeckte Ermittler Lauschangriff Online Durchsuchung Die heimliche Strafverfolgung greift um sich Dennoch steht die Rechtsfrage des Privatheitsschutzes beim Ermittlungszugriff auf die begehrten Informationen inmitten eines unklaren interdisziplinären Bezugfelds Ist zum Beispiel nur ein Kernbereich privater Lebensgestaltung absolut über das Verfassungsrecht zu schützen und lassen sich wirklich alle sonstigen Bereiche der Privatsphäre der strafprozessualen Relativierung durch Zugriffsrechte preisgeben Was gilt gegenüber Nichtverdächtigen und was beim Einsatz neuer Medien Dabei beschreibt Pierre Hauck einen neuen interdisziplinären Pfad Er gleicht Erkenntnissen der Informationsethik und der Sozialphilosophie ab und entwickelt ein System abgestufter Schutzwürdigkeit privater Informationen Dieses System dient als Grundlage einer Rekonstruktion der Ermittlungsbefugnisse hauptsächlich mit dem Ziel einer zukunftsweisenden Neuformulierung der gesetzlichen Ermittlungsbefugnisse in der StPO

AP AIS, Australian Public Affairs Information Service , 1986 Vol for 1963 includes section Current Australian serials a subject list

Do Exclusionary Rules Ensure a Fair Trial? Sabine Gless, Thomas Richter, 2019-04-17 This open access publication discusses exclusionary rules in different criminal justice systems It is based on the findings of a research project in comparative law with a focus on the question of whether or not a fair trial can be secured through evidence exclusion Part I explains the legal framework in which exclusionary rules function in six legal systems Germany Switzerland People's Republic of China Taiwan Singapore and the United States Part II is dedicated to selected issues identified as crucial for the assessment of exclusionary rules These chapters highlight the delicate balance of interests required in the exclusion of potentially relevant information from a criminal trial and discusses possible approaches to alleviate the legal hurdles involved

Illicit Flows and Criminal Things Willem van Schendel, Itty Abraham, 2005-11-04 Illicit Flows and Criminal Things offers a new perspective on illegal transnational linkages international relations and the transnational The contributors argue for a nuanced approach that recognizes the difference between organized crime and the thousands of illicit acts that take place across national borders every day They distinguish between the illegal prohibited

by law and the illicit socially perceived as unacceptable which are historically changeable and contested Detailed case studies of arms smuggling illegal transnational migration the global diamond trade borderland practices and the transnational consumption of drugs take us to Asia Africa Latin America Europe and North America They allow us to understand how states borders and the language of law enforcement produce criminality and how people and goods which are labeled illegal move across regulatory spaces Criminology and Archaeology Simon Mackenzie,Penny Green,2009-11-04 This collection is the product of a collaborative venture between criminologists and archaeologists concerned with the international market in illicit antiquities It examines the state of regulation in the antiquities market with a particular focus on the UK s position but also with reference to the international context Looting happens routinely and many countries have rich deposits of cultural material Antiquities are highly collectable and there are several prominent international centres for trade As well as the legitimate face of the antiquities trade there therefore exists an international illicit market in which cultural objects are trafficked for profit in breach of national laws and international conventions It is within such a complex international and local regulatory context that the essays presented here emerge focusing upon three areas in particular the demand for looted antiquities the supply of cultural artefacts which originate in source countries and regulation of the international market in antiquities Criminology has long been interested in transnational crime and its regulation Archaeologists concerns lie in the destructive consequences of antiquities looting which erases our knowledge of the past In the papers presented here both disciplines present new data and analysis to forge a more coherent understanding of the nature and failings of the regulatory framework currently in place to combat the criminal market in antiquities

Bowker's Law Books and Serials in Print ,1995 *Understanding Drug Dealing and Illicit Drug Markets* Tammy C. Ayres,Craig Ancrum,2023-07-31 This book examines the drug dealer in contemporary society from an interdisciplinary perspective and considers the increasingly blurred demarcation between illegitimate and legitimate drug markets It explores the motives and drivers of those involved in drug supply and dispels common and stereotypical myths and misconceptions surrounding illegal drug markets and those who operate within them The drug dealer has become one of our foremost contemporary folk devils Those who trade in substances prohibited by law are the subject of array of inaccurate myths and urban legends Criminology has tended either to shoehorn drug dealers into neat typologies or portray them as victims of an uncaring predatory post modern society In reality we know relatively little about the complex and diverse world of drug markets and our concentration inevitably falls on low end retail dealers who operate in the most visible sectors of the illegal economy Bringing together an international group of experts this book considers perspectives from around the world including UK USA South America Spain India and Australia This book will be of interest to students and researchers across criminology law sociology criminal justice and public health and will be essential reading for those taking courses on drugs drug markets and substance misuse **Drug Policy and the Public Good** Thomas Babor,Jonathan Caulkins,Benedikt

Fischer, David Foxcroft, Keith Humphreys, María Elena Medina-Mora, Isidore Obot, Jürgen Rehm, Peter Reuter, Robin Room, Ingeborg Rossow, John Strang, 2018-07-03

Illegal psychoactive substances and illicit prescription drugs are currently used on a daily basis all over the world. Affecting public health and social welfare, illicit drug use is linked to disease, disability and social problems. Faced with an increase in usage, national and global policymakers are turning to addiction science for guidance on how to create evidence-based drug policy.

Drug Policy and the Public Good is an objective analytical basis on which to build global drug policies. It presents the accumulated scientific knowledge on drug use in relation to policy development on a national and international level. By also revealing new epidemiological data on the global dimensions of drug misuse, it questions existing regulations and highlights the growing need for evidence-based, realistic and coordinated drug policy.

A critical review of cumulative scientific evidence, **Drug Policy and the Public Good** discusses four areas of drug policy: primary prevention programs in schools and other settings; supply reduction programs including legal enforcement and drug interdiction; treatment interventions; and harm reduction approaches and control of the legal market through prescription drug regimes. In addition, it analyses the current state of global drug policy and advocates improvements in the drafting of public health policy.

Drug Policy and the Public Good is a global source of information and inspiration for policymakers involved in public health and social welfare. Presenting new research on illicit and prescription drug use, it is also an essential tool for academics and a significant contribution to the translation of addiction research into effective drug policy.

Unveiling the Magic of Words: A Report on "**Nice Book Illicitly Obtained Evidence International Criminal**"

In a global defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their capability to kindle emotions, provoke contemplation, and ignite transformative change is truly awe-inspiring. Enter the realm of "**Nice Book Illicitly Obtained Evidence International Criminal**," a mesmerizing literary masterpiece penned by a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve to the book is central themes, examine its distinctive writing style, and assess its profound impact on the souls of its readers.

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