

1. Record Nr.	UNINA9910455086203321
Autore	Bonafe Beatrice I
Titolo	The relationship between state and individual responsibility for international crimes [[electronic resource] /] / by Beatrice I. Bonafe
Pubbl/distr/stampa	Leiden ; Boston, : Martinus Nijhoff Publishers, 2009
ISBN	1-282-40084-3 9786612400841 90-474-2677-0
Descrizione fisica	1 online resource (296 p.)
Collana	Nijhoff eBook titles 2009
Disciplina	345/.04
Soggetti	Criminal liability (International law) International crimes Government liability Administrative responsibility Superior orders (Criminal law) Electronic books.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references (p. [257]-272) and index.
Nota di contenuto	The general framework of the relationship between state and individual responsibility for international crimes -- Theoretical approaches to the relationship between state and individual responsibility for international crimes -- The overlap of the material element : the seriousness requirement -- The overlap of the psychological element : mens rea v. fault -- Defences and circumstances precluding wrongfulness -- Ascribing responsibility for collective crimes : modes of liability -- Establishing state and individual responsibility for international crimes -- Complementarity between state and individual responsibility for international crimes -- Towards a dual responsibility paradigm?
Sommario/riassunto	This book offers a unique comparison between state and individual responsibility for international crimes and examines the theories that can explain the relationship between these two regimes. The study provides a comprehensive and systematic analysis of the relevant international practice from the standpoint of both international criminal

law, and in particular the case law of international criminal tribunals, and state responsibility. The author shows the various connections and issues arising from the parallel establishment of state and individual responsibility for the commission of the same international crimes. These connections indicate a growing need to better co-ordinate these regimes of international responsibility. The author maintains that a general conception, according to which state and individual responsibility are two separate sets of secondary rules attached to the breach of the same primary norms, can help to solve the various issues relating to this dual responsibility. This conception of the complementarity between state and individual responsibility justifies co-ordination and consistent application of these two different regimes, each of which aims to foster compliance with the most important obligations owed to the international community as a whole.
