

1. Record Nr.	UNINA9910787939403321
Titolo	Justice Belied : the unbalanced scales of international criminal justice / / edited by Sebastien Chartrand and John Philpot
Pubbl/distr/stampa	Montreal, Quebec : , : Baraka Books, , 2014 ©2014
ISBN	1-926824-79-2 1-77186-028-6
Edizione	[1st ed.]
Descrizione fisica	1 online resource (284 p.)
Disciplina	340.5609
Soggetti	Criminal law - Research Civil law - History
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di contenuto	Cover; Title Page; Copyright; Dedication; Contents; List of Acronyms; Introduction; PART I; International Criminal Justice in the Eyes of Africans and African Americans; 1 African Court and International Criminal Courts: Discriminatory International Justice and the Quest for a New World Judicial Order; Introduction; Selective and Discriminatory Justice in Context; The International Criminal Tribunal for Rwanda: A Victors' Court; Backdoor Attempts to Eternalise Victors' Justice; The Special Court for Sierra Leone; The ICC: The Price of Selective and Discriminatory Justice The African Court, the ICC, Universal Jurisdiction, and the Challenges AheadConclusion; Notes; 2 The Ailing Empire's Full Spectrum Dominance; Note; 3 Victoire Ingabire: Chronology of a Pinochet-style Case of Repression; Notes; 4 The Fabrication of Evidence before the International Criminal Tribunal for Rwanda; The Rwandan Law on Guilty Plea, Confession, and Forgiveness; Witness Protection; Witness Proofing; Notes; 5 Charles Taylor: The Special Courtfor Sierra Leone and Questionable Verdicts; Introduction; Alleged Credible Examples for Future Trials Questionable Legal Justification of Evidential FindingsFindings in Other Trials; Test of Judicial Scrutiny; Conclusion; Notes; 6 The Seven Challenges for Truthand Justice in Rwanda; Five Burdens; Seven

Challenges; 7 The ICC and Kenya: Going Beyond the Rhetoric; Introduction; Beyond the Rhetoric; Stepping on Sensitive Political, Ethnic, and Cultural Nerves; The Political Card; Conclusion; Notes; PART II; The ad hoc International Criminal Tribunals; 8 The Heart of Dark Jurisprudence; Highly Questionable Results; A Cloud of Secrecy; The Case for an Independent Review: The East Timor Precedent National Jurisdictions: To Disclose or Not to Disclose; Acquittals: A Double Standard Prevails; Conclusion; Notes; 9 Prosecutorial Failure to Disclose Exculpatory Material: A Death Knell to Fairness; Introduction; Rule 68: Does it "Level the Playing Field" Between Prosecution and Defence?; The "Military II" Case: Disclosure "As soon as practicable"??; Notes; 10 Lessons Learned from the Bad Beginnings of The International Tribunal for Rwanda; Disorganisation and Causes of Conflict; Power Struggles; Racial and Ethnic Internal Conflicts; Absence of Working Tools Complaints, Denunciations, and Requests for Investigation by Families of Victims; Problems of Language and Communication; Communications; Recruitment; Government Pressure; Financial Administration and Corruption; Waste; Embezzlement, Theft, and Corruption; Complaint to the Secretary General and Request for Investigation; Results and Consequences of the Investigations; And the Good Staff?; Notes; 11 The Dubious Heritage of the International Criminal Tribunal for Rwanda; Impunity; Firing a Wayward Prosecutor; Referral to National Courts and Rwandan impunity; Myths and Lies The War: An Internal or International Conflict?

Sommario/riassunto

Written by practicing criminal defense lawyers, jurists, investigators, and specialized journalists, this book criticizes the whole initiative of international criminal justice and considers the idea that it must be abandoned in the name of justice. Has foreign policy trumped justice? How are equity, equality before the law, absence of selectivity, protection of witnesses, and enforcement affected? How are lives of citizens throughout the world changed by International Justice? Asking the burning questions about criminal justice as it is practiced at the International Criminal Court, the ad-ho
