

1. Record Nr.	UNINA9910818052203321
Autore	Olasolo Hector
Titolo	The criminal responsibility of senior political and military leaders as principals to international crimes // Hector Olasolo ; with a foreword by Adrian Fulford, an introduction by Ekaterina Trendafilova and an epilogue by Kai Ambos
Pubbl/distr/stampa	Oxford ; Portland, Oregon, : Hart Publishing, 2009
ISBN	1-4725-6475-8 1-282-38801-0 9786612388019 1-84731-508-9
Edizione	[1st ed.]
Descrizione fisica	1 online resource (400 p.)
Collana	Studies in international and comparative criminal law ; v. 4
Disciplina	345.0235
Soggetti	Criminal responsibility (International law) Criminal liability (International law) Criminal liability International crimes Crimes against humanity
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 (pages 337-345) and index
Nota di contenuto	First approach to the criminal liability of political and military leaders for international crimes -- Perpetration of a crime and participation in a crime committed by a third person : principal versus accessorial liability -- Direct perpetration and indirect perpetration -- Co-perpetration based on joint criminal enterprise -- Co-perpetration based on joint control of the crime Foreword by Judge Sir Adrian Fulford, presiding Judge of the Trial Chamber at the International Criminal Court. -- Introduction by Judge Ekaterina Trendafilova, Judge of Pre-Trial Chambers II and III of the International Criminal Court, dealing with the situations in Uganda and Central African Republic
Sommario/riassunto	As shown by the trials of Slobodan Milosevic, Charles Taylor and Saddam Hussein, the large-scale and systematic commission of international crimes is usually planned and set in motion by senior

political and military leaders. Nevertheless, the application of traditional forms of criminal liability leads to the conclusion that they are mere accessories to such crimes. This does not reflect their central role and often results in a punishment which is inappropriately low in view of the impact of their actions and omissions. For these reasons, international criminal law has placed special emphasis on the development of concepts, such as control of the crime and joint criminal enterprise (also known as the common purpose doctrine), which aim at reflecting better the central role played by senior political and military leaders in campaigns of large scale and systematic commission of international crimes. The Rome Statute of the International Criminal Court and the case law of the ICTY and the ICTR have, in recent years, played a unique role in the achievement of this goal
