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| Nota di contenuto | Front Matter -- Contents -- Preface -- A First Look at Individual Liability within the Context of Mass Criminality -- Back to Nuremberg: The Genesis of Joint Liability for International Crimes -- Joint Criminal Enterprise: Doctrinal Framework and Nature -- The Pitfalls of Joint Criminal Enterprise Liability -- Co-perpetration Based on Joint Control over the Crime: Doctrinal Framework -- Rethinking the Theory of Co-perpetration Based on Joint Control over the Crime -- Co-perpetration Responsibility in International Criminal Law: Forging a Path Forward. |
| Sommario/riassunto | The proper construction of co-perpetration responsibility in international criminal law has become one of the most enduring controversies in this field, with the UN Tribunals endorsing the theory of joint criminal enterprise, and the International Criminal Court adopting the alternative joint control over the crime theory to define this mode of liability. This book seeks to reconcile the ICTY/R's and ICC's jurisprudence by providing a definition of co-perpetration that could be uniformly applied in the two justice models that these institutions represent: the ad hoc - and the treaty-based model. An evaluation framework is adopted, pursuant to which the origins, merits and deficiencies of the said competing theories are critically assessed, and a refined legal framework of co-perpetration responsibility is proposed. |

