Record Nr. UNISA996568902503316 Autore Gebhard Julia Titolo Necessity or nuisance? recourse to human rights in substantive international criminal law / / Julia Gebhard Pubbl/distr/stampa 2018 Baden-Baden, Germany:,: Nomos,, 2018 **ISBN** 3-8452-8644-X Descrizione fisica 1 online resource (296 pages) Collana Recht und Gesellschaft; ; Band 9 = Law and Society Disciplina 345 Soggetti International criminal law International law and human rights Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Nota di contenuto Introduction -- Part one. The relationship between international criminal law and human rights. Human rights law and procedural international criminal law; Human rights law and substantive international criminal law -- Part two. How are different areas of human rights law referred to in international criminal jurisprudence? Prohibition of torture and 'other inhumane acts'; Minority rights law; Women's rights, the prohibition of gender-based violence; Conclusions drawn from case-law analysis -- Part three. Perception of the value of human rights law from the view of practitioners. Perceptions of human rights law in a diverse professional environment. Sommario/riassunto What are chances and challenges of referring to human rights law in defining crimes under international law? Under what circumstances is a reference to human rights law dogmatically appropriate and practically likely? The answers to these questions are explored through a look at the theoretical framework, practical application in jurisprudence as well as empirically through interviews with judges. By highlighting the common roots and the differences between both areas of law, the existing inconsistencies in the application of the law, as well as approaches which could contribute to their solution, the book presents a crucial contribution to the debate on legal certainty and innovation in

international criminal law.