

## **International Criminal Court Moot Court Pace Law School**

International criminal adjudication, together with the prosecution and appropriate punishment of offenders at a national level, remains the most effective means of enforcing International Humanitarian Law. This book considers the various issues emanating from present-day breaches of norms of International Humanitarian Law (IHL) and the question of how impunity for such breaches can be tackled. Honouring the work of Timothy McCormack, Professor of International Law at the University of Melbourne and a world renowned expert on IHL and International Criminal Law, contributors of the book explore the interplay between the rules governing accountability for violations of IHL and other areas of law that impact the prosecution of war crimes, including international criminal law, human rights law, arms control law, constitutional law and national criminal law. In providing a contemporary consideration of the various issues emerging from present-day breaches of norms of IHL, especially in light of growing interest in 'fragmentation' and 'normative pluralism', this book will be of great use and interest to students and researchers in public international law, international law, and conflict studies.

This book focuses on Boko Haram and terrorism in Nigeria, framing the conflict in an international law context. It analyses the nature of political violence and the dominant roles of a violent nation-state (in both colonial and post-colonial experiences) and the

rise of terrorism in Nigeria. The book unearths embedded evidence of religious nepotism on the part of state officials using such state institutions as Islamic Preaching Boards to promote one Islamic sect over another in mainly Muslim Northern Nigeria. The book offers insights into this subtle sectarian divide and how this and other 'subterranean' elements have contributed to the rise of Boko Haram in Northern Nigeria beyond the dominant poverty-terrorism nexus narrative. Furthermore, the book analyses the various components of Boko Haram's radical ideology, situates them in Islamic Jurisprudence, and examines the philosophy of the group (both in doctrine and practice) – their interpretation of the Koran and the waging of Jihad, and the extent to which they conform to the Islamic Sect Boko Haram claims to follow. The book then examines the basic doctrinal features and characteristics of Boko Haram – waging Jihad, prohibiting revealing dresses for women and mixing of genders, rejecting western values and institutions, denouncing scientific inquiry and democracy, hostage taking, sexual exploitation of captives and other aspects of jus ad bellum and jus in bello in Islamic jurisprudence and international law. Finally, the book analyses the plight of vulnerable groups such as internally displaced persons, the atrocities committed against women and girls in the Boko Haram insurgency and the (in)ability of international law to enforce the protections offered to the victims. From the perspective of critical intellectual inquiry, the book also challenges a number of fundamental assumptions and encourages us to revisit our legal characterisation of certain concepts



including its strong, independent prosecutor, by analyzing the discourse surrounding the ICC negotiations, and particularly highlights the role of human rights NGOs.

A Compilation of the Problems, Judges' Briefs, Rules and leading written Memorials which comprise the Philip C. Jessup International Law Moot Court Competition. To be issued annually.

The most prolific international criminal court to date, the International Criminal Tribunal for the Former Yugoslavia had a broad impact on international law, human rights, the creation of the International Criminal Court, and the rule of law in the former Yugoslavia. In this book a group of leading experts take stock of its performance and legacy.

This book explores the 'backstage' of transnational legal practice by illuminating the routines and habits that are crucial to the field, yet rarely studied. Through innovative discussion of practices often considered trivial, the book encourages readers to conceptualise the 'backstage' as emblematic of transnational legal practice. Expanding the focus of transnational legal scholarship, the book explores the seemingly mundane procedures which are often taken for granted, despite being widely recognized as part of what it means to 'do transnational law'. Adopting various methodologies and approaches, each chapter focuses on one specific practice: for example, mooted exercises for law students,

international travel, transnational time, the social media activities of lawyers and legal scholars, and the networking at the ICC's annual Assembly of States Parties. In and of themselves, these chapters each provide unique insights into what happens before the curtain rises and after it falls on the familiar 'outputs' of transnational law. It does more, however, than provide a range of different practices: it takes the next step in theorizing on the importance of the marginal and the everyday for what we 'know' to be 'the law' and what the international legal field looks like. Furthermore, by interrogating undiscussed academic practices, it provides students with a candid view on the perils and promises of transnational legal scholarship, inviting them to join the discussion and to practice their discipline in a more reflexive way. Written in an accessible format, containing a readable collection of personal and recognizable accounts of transnational legal practice, the book provides an everyday insight into transnational law. It will therefore appeal to international legal scholars, alongside any reader with an interest in transnational law.

The 2010 volume of Contemporary Issues in International Arbitration and Mediation - The Fordham Papers is a collection of important works in the field written by the speakers at the 2010 Fordham Law School Conference on International Arbitration and Mediation.

This volume deals with the tension between unity and diversification which has gained a central place in the debate under the label of 'fragmentation'. It explores the meaning, articulation and risks of this phenomenon in a specific area: International Criminal Justice. It brings together established and fresh voices who analyse different sites and contestations of this concept, as well as its context and specific manifestations in the interpretation and application of International Criminal Law. The volume thereby connects discourse on 'fragmentation' with broader inquiry on the merits and discontents of legal pluralism in 'Public International Law'.

A useful supplement to a law degree, mooting is useful for developing legal skills of analysis and interpretation. In a moot, two pairs of 'advocates' argue a fictitious legal appeal in front of a judge. This text is a guide to mooting.

International tribunals need to interface effectively with national jurisdictions, which includes coordination with domestic judicial prosecutions as well as an appreciation for other non-judicial types of transitional justice. In this book, the authors analyze the earlier international tribunals established since the 1990s and the parallel national proceedings for each. In examining the ways in which the ICC can best coordinate with national processes this book considers the ICC's present interactions with national jurisdictions and the statutory framework

of the Rome Statute for interface with national jurisdictions.

The Politics of International Criminal Law is an interdisciplinary collection of original research that examines the often noted but understudied political dimensions of International Criminal Law, and the challenges this nascent legal regime faces to its legitimacy in world affairs.

Philip C. Jessup International Law Moot Court Competition

p.p1 {margin: 0.0px 0.0px 0.0px 0.0px; font: 10.0px Arial} This book examines the theories relevant to the development of skills necessary for effective participation in competition moots. By consideration of underlying theories the authors develop unique models of the skills of the cognitive, psychomotor and affective domains and effective team dynamics; and emphasise the importance of written submissions. The authors use this analysis to develop a unique integrated model that informs the process of coaching moot teams according to reliable principles. This text challenges students to understand the concepts of international law in order to apply these concepts to specific cases for the purpose of taking a position on existing political and legal debates within the fields of international law and international studies.

"Progress in International Law" is a comprehensive accounting of international law for our times. Forty leading international law theorists analyze the most

significant current issues in international law and their critical assessments draw diverse conclusions about the current state and future prospects of international law. The material is grouped under the headings: The History and Theory of International Law; The Sources of International Law and Their Application in the United States; International Actors; International Jurisdiction and International Jurisprudence; The Use of Force and the World's Peace; and The Challenge of Protecting the Environment and Human Rights. The book draws its inspiration from a similar survey undertaken in 1932 by Harvard Law Professor and PCIJ Judge Manley O. Hudson. In his book "Progress in International Organization," Hudson sought to demonstrate that what he perceived as an emerging international infrastructure, and as moves toward the rule of law in international affairs, were sure signs of human progress towards peace and cooperation.

"Progress in International Law" critically engages with that claim as a normative matter and, at the same time, presents the evidence by which a judgment about our own progress towards peace and cooperation might be judged.

This collection is the multifaceted result of an effort to learn from those who have been educated in an American law school and who then returned to their home countries to apply the lessons of that experience in nations experiencing social, economic, governmental, and legal transition. Written by an international group of

scholars and practitioners, this work provides a unique insight into the ways in which legal education impacts the legal system in the recipient's home country, addressing such topics as efforts to influence the current style of legal education in a country and the resistance faced from entrenched senior faculty and the use of U.S. legal education methods in government and private legal practice. This book will be of significant interest not only to legal educators in the United States and internationally, and to administrators of legal education policy and reform, but also to scholars seeking a more in-depth understanding of the connections between legal education and socio-political change.

This book is about money, war, atrocities and economic actors, about the connections between them, and about responsibility.

This book takes the reader on a sweeping tour of the international legal field to reveal some of the patterns of difference, dominance, and disruption that belie international law's claim to universality. Pulling back the curtain on the "divisible college of international lawyers," Anthea Roberts shows how international lawyers in different states, regions, and geopolitical groupings are often subject to distinct incoming influences and outgoing spheres of influence in ways that reflect and reinforce differences in how they understand and approach international law. These divisions manifest themselves in contemporary

controversies, such as debates about Crimea and the South China Sea. Not all approaches to international law are created equal, however. Using case studies and visual representations, the author demonstrates how actors and materials from some states and groups have come to dominate certain transnational flows and forums in ways that make them disproportionately influential in constructing the "international." This point holds true for Western actors, materials, and approaches in general, and for Anglo-American (and sometimes French) ones in particular. However, these patterns are set for disruption. As the world moves past an era of Western dominance and toward greater multipolarity, it is imperative for international lawyers to understand the perspectives and approaches of those coming from diverse backgrounds. By taking readers on a comparative tour of different international law academies and textbooks, the author encourages them to see the world through the eyes of others -- an essential skill in this fast changing world of shifting power dynamics and rising nationalism.

This book provides the most comprehensive and scientific assessment to date of what it means to appear before war crimes tribunals. This ground-breaking analysis, conducted with the cooperation of the International Criminal Tribunal for the former Yugoslavia (ICTY) Victims and Witnesses Section, examines the

positive and negative impact that testifying has on those who bear witness to the horrors of war by shedding new light on the process. While most witnesses have positive feelings and believe they contributed to international justice, there is a small but critical segment of witnesses whose security, health, and well-being are adversely affected after testifying. The witness experience is examined holistically, including witness' perceptions of their physical and psychological well-being. Because identity (gender and ethnicity) and war trauma were central to the ICTY's mandate and the conflicts in the former Yugoslavia, the research explores in-depth how they have impacted the most critical stakeholders of any transitional justice mechanism: the witnesses.

Understanding International Law through Moot Courts analyzes five moot court cases held before the International Court of Justice and the International Criminal Court. These cases offer insight on the international law pertaining to habeas corpus, genocide, the responsibility to protect, chemical weapons, and torture.

The Annotated Digest of the International Criminal Court, 2009, compiles a selection of the most significant legal findings from public decisions issued by the ICC in 2009.

This book analyzes the position of the ICC in relation to national court systems. The research illustrates that what seemed to be a straight forward relationship between the ICC and national courts under the complementarity mechanism, proves to be much more complex in practice. Using the referrals of Uganda and Darfur, the book demonstrates ways in which it might be

possible to prosecute for crimes currently not prosecuted by the ICC and brings to light possible solutions to overcome the gaps in law and practice in the jurisdictional relation between the ICC and national systems. It will be of value to academics, students and policy-makers working in the area of international law, international organizations, and human rights. International criminal law has developed extraordinarily quickly over the last decade, with the creation of ad hoc tribunals in the former Yugoslavia and Rwanda, and the establishment of a permanent International Criminal Court. This book provides a timely and comprehensive survey of emerging and existing areas of international criminal law. The Handbook features new, specially commissioned papers by a range of international and leading experts in the field. It contains reflections on the theoretical aspects and contemporary debates in international criminal law. The book is split into four parts for ease of reference: The Historical and Institutional Framework – Sets international criminal law firmly in context with individual chapters on the important developments and key institutions which have been established. The Crimes – Identifies and analyses international crimes, including a chapter on aggression. The Practice of International Tribunals – Focuses on topics relating to the practice and procedure of international criminal law. Key Issues in International Criminal Law – Goes on to explore issues of importance such as universal jurisdiction, amnesties and international criminal law and human rights. Providing easy access to up-to-date and authoritative articles covering all key aspects of international criminal law, this book is an essential reference work for students, scholars and practitioners working in the field.

This insightful book explores the acute challenges presented by the internationalisation of law, a trend that has been accelerated by the growing requirement for academics and

practitioners to work and research across countries and regions with differing legal traditions. The authors have all confronted these challenges of internationalisation through their extensive knowledge and experience in civil law, common law and mixed jurisdictions around the globe. Their analysis of the implications for researchers and teachers, as well as practitioners, law-makers and reformers is original and their different proposals for dealing with the challenges are both practical and at times, radical.

Moot Court competitions constitute an alternative model of human rights training, giving students the skills to contribute to the development of international human rights law and thus make them qualified advocates for human rights change in their home countries and abroad. By focusing on the perfection of oral as well as written skills, participants are more likely to be successful not only in cases brought before their home courts, but in front of international tribunals and other organs. Such competitions have opened the doorway for more human rights classes in law schools, more clinical training programs, more NGOs dedicated to human rights law, and overall more lawyers dedicated to participating in an expanded notion of a human rights community. As demonstrated in this volume, moot court competitions have revolutionized human rights legal education in Africa, Europe and the Americas.

The ICTY closed its doors in 2017. It had been set up in 1993 in order to prosecute crimes committed during the Yugoslav wars in the 1990s. Although its mandate was limited to that of a criminal court, the Tribunal aimed at strengthening the rule of law in the countries under its jurisdiction. This book examines in what respect the ICTY had an impact on the Bosnian and Serbian criminal justice systems. It examines five areas where the footprint of the international tribunal is most tangible: national war crimes institutions, domestic criminal legislation and

jurisprudence, witnesses' and victims' matters, and the use of technology in the criminal process. In the end, it is determined whether this influence indeed contributed to the rule of law in Bosnia and Herzegovina and Serbia. Academics might be interested in this research as it contributes to understanding the domestic impact of international institutions. Practitioners will be guided in setting up and operating international war crimes courts, if strengthening the rule of law is a desired (side) effect of that court.

Legal Education in Asia: From Imitation to Innovation is a curated collection of case studies that critically examine how conventional "transplanted" approaches to legal education are, or are on the cusp of being, redesigned across East Asia.

Legal education is currently undergoing a paradigm shift. Traditional law instruction, lecturing and memorizing have become a fading fashion, with legal clinics increasingly cropping up. These allow law students to practice while studying and to contribute to social justice as part of the educational process. Students no longer accept one-way interaction from their professors, and demand interaction with their peers in various corners of the globe. The Middle East is no exception here. Legal clinics can be found in most countries of the region, though there is scant literature on legal education in the area, particularly with regards to clinical legal education. This book fills this gap, and offers comparative cases that will benefit legal educators and justice practitioners in the Middle East and beyond. The region needs reform in all dimensions, including the political, economic, social, religious, legal, and educational. Legal education lies at the heart of securing such long awaited reforms. The book examines legal education within

selected locations in the region, underscoring successful pedagogical models from various parts of the world. This peer-reviewed book focuses on practical legal education, where learning is student-centered, particularly clinical legal education, field work, street law, pro bono service, legal advice, simulations, placements/internships, moot courts and mock trials, problem-based learning, case analysis, group work, role-play, and brainstorming. The book brings together 28 chapters written by leading legal scholars from across the globe, all concerned with the advancement of legal education, with making it more interactive, and contributing to bridging the gap between powerful and powerless communities.

"International Moot Court: An Introduction offers a step-by-step guide to planning and participating in a moot court. The manual is intended for two audiences. First, it provides guidance for individuals or organizations interested in developing and hosting a moot court competition. Second, International Moot Court helps teachers and students prepare to participate in high school moot court competitions. The manual includes a sample international moot court compromis, *Felipe Torres v. The Prosecution*, prepared by The International Bar Association."--BOOK JACKET.

Reinventing Legal Education explores how clinical legal education - a new frontier for European public interest lawyering - is reforming law teaching and practice in Europe. Certain types of crime are increasingly being perpetrated across national borders and require a unified regional or global response to combat them. Transnational criminal law

covers both the international treaty obligations which require States to introduce specific substantive measures into their domestic criminal law schemes, and an allied procedural dimension concerned with the articulation of inter-state cooperation in pursuit of the alleged transnational criminal. The Routledge Handbook of Transnational Criminal Law provides a comprehensive overview of the system which is designed to regulate cross border crime. The book looks at the history and development of the system, asking questions as to the principal purpose and effectiveness of transnational criminal law as it currently stands. The book brings together experts in the field, both scholars and practitioners, in order to offer original and forward-looking analyses of the key elements of the transnational criminal law. The book is split into several parts for ease of reference: Fundamental concepts surrounding the international regulation of transnational crime. Procedures for international cooperation against alleged transnational criminals including jurisdiction, police cooperation, asset recovery and extradition. Substantive crimes covered by transnational criminal law analysing the current legal provisions for each crime. The implementation of transnational criminal law and the effectiveness of the system of transnational criminal law. With chapters from over 25 authorities in the field, this handbook will be an invaluable reference work for student and academics and for policy makers with an interest in transnational criminal law.

Mastering the Art of International Mooting: The structure, technique and rules of

international mooting is a book that can be used by all levels of law students regardless of their background with international mooting. As law schools around the world develop courses that deal with international mooting, a practical technique-based mooting book will greatly add to the resources for this type of course. This book sets out the nature of the mooting exercise; the rationale for the exercise; how to analyse the fact-patterns; how to research and write skeleton arguments; and how to prepare for oral submissions. This book is unique, in that it provides strategies for moot students on how to deal with situations which may arise at international competitions. Examples of possible addresses to the Court are provided in the book, giving students options of what to say and do in specific situations. While this book also speaks about how to prepare for competitions, it also speaks to coaches of mooting teams. Strategies and tips are provided to present and future coaches in respect of selection of moot teams and judging mooting competitions. It is hoped that this book will increase the standard of mooting and eventual advocacy of law students and eventually lawyers.

Acts perpetrated during the course of warfare have, through the ages, led to significant environmental destruction. These have included situations where the natural environment has intentionally been targeted as a 'victim', or has somehow been manipulated to serve as a 'weapon' of warfare. Until recently, such acts were generally regarded as an unfortunate but unavoidable element of armed conflict, despite their potentially disastrous impacts. The existing international rules have largely been

ineffective and inappropriate, and have in practical terms done little to deter deliberate environmental destruction, particularly when measured against perceived military advantages. However, as the significance of the environment has come to be more widely understood and recognised, this is no longer acceptable, particularly given the ongoing development of weapons capable of widespread and significant damage. This book therefore examines the current international legal regime relevant to the intentional destruction of the environment during warfare, and argues that such acts should, in appropriate circumstances, be recognised as an international crime and should be subject to more effective rules giving rise to international criminal responsibility. It also suggests a framework within the Rome Statute of the International Criminal Court as to how this might be achieved. 'The purpose of international law has developed far beyond regulating relations between States, and has increasingly extended to prohibit conduct or activities with very harmful effects to the international community as a whole, and on individuals. One such prohibited conduct is the intentional and wanton destruction to the natural environment during armed conflict. Professor Freeland, in this book, has painstakingly and in a sophisticated manner recommended how individuals committing such a crime could be brought within the jurisdiction of the International Criminal Court in The Hague. It is highly recommended.'

Abdul G. Koroma, former Judge, International Court of Justice 'Whilst international law has made significant strides in regulating the conduct of armed conflict, there is

increasing concern about the environmental impacts of warfare. Deliberate environmental destruction can have devastating effects on present and future generations; yet, in terms of international criminal law, there has been relatively little by way of progress to deter such acts. This book is therefore extremely timely and presents a comprehensive and thought-provoking perspective as to why and how this concern could be addressed. With its insightful analysis, the book will undoubtedly stimulate further debate in this area, and is highly recommended to all those concerned with the impact of armed conflict on the natural environment.' Erkki Kourula, Judge, International Criminal Court (Appeals Chamber) 'Steven Freeland argues in favor of adding crimes against the environment to international law and to the jurisdiction of the International Criminal Court. His writing is pragmatic, skillful, and also full of heart. His is the most convincing argument for a proposition well ahead of its time. His book is a must-read. Freeland's research is compendious, his view clear-eyed, and his style gifted. Freeland's book, however, transcends environmental protection. He is among the fore-runners when it comes to thinking creatively about the sources of violence, insecurity, and instability in the international order. Yet, all the while, he retains the wisdom not to posit law as rapture saving us from collective rapture.' Mark A. Drumbl, Class of 1975 Alumni Professor of Law and Director of the Transnational Law Institute, Washington and Lee University

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