Contents

Acknowledgements *ix*
Contributors *xi*

Introduction 1
William A. Schabas and Nadia Bernaz

PART I
Historical and institutional framework **3**

1 Trial at Nuremberg 5
Guénaël Mettraux

2 The Tokyo Trial 17
Neil Boister

3 The trials of Eichmann, Barbie and Finta 33
Joseph Powderly

4 The *ad hoc* international criminal tribunals: launching a new era of accountability 51
Michael P. Scharf and Margaux Day

5 The International Criminal Court 67
David Scheffer

6 Hybrid tribunals 85
Fidelma Donlon

PART II
The crimes **107**

7 Genocide 109
Paola Gaeta

8 Crimes against humanity
Margaret M. deGuzman 121

9 War crimes
Anthony Cullen 139

10 Aggression
Nicolaos Strapatsas 155

11 Terrorism as an international crime
Fiona de Londras 169

12 Drug crimes and money laundering
Robert Cryer 181

PART III
The practice of international tribunals **195**

13 Understanding the complexities of international criminal tribunal jurisdiction
Leila Nadya Sadat 197

14 Admissibility in international criminal law
Mohamed M. El Zeidy 211

15 Defences to international crimes
Shane Darcy 231

16 Participation in crimes in the jurisprudence of the ICTY and ICTR
Mohamed Elewa Badar 247

17 International criminal procedures: trial and appeal procedures
Håkan Friman 271

18 Sentencing and penalties
Nadia Bernaz 289

19 State cooperation and transfers
Kimberly Prost 305

20 Evidence
Nancy Amoury Combs 323

PART IV
Key issues in international criminal law **335**

21 The rise and fall of universal jurisdiction 337
Luc Reydams

22 Immunities 355
Rémy Prouvèze

23 Truth commissions 369
Eric Wiebelhaus-Brahm

24 State responsibility and international crimes 385
Eric Wyler and León Arturo Castellanos-Jankiewicz

25 International criminal law and victims' rights 407
Carla Ferstman

26 Amnesties 419
Louise Mallinder

27 International criminal law and human rights 435
Thomas Margueritte

Conclusions 453
William A. Schabas and Nadia Bernaz

Index *455*