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The law of command responsibility / M. P. W. Brouwers (ed.)

Document type:	Book
Title:	The law of command responsibility
Author zone:	M. P. W. Brouwers (ed.)
Editor:	Nijmegen : Wolf Legal Publishers, 2012
Physical description:	245 p. ; 24 cm
ISBN:	978-90-5887-050-6
Languages:	English
	Bibliographie : p. 16
Abstract:	This book elaborates on issues related to the application and development of the law of command responsibility or superior responsibility. It clarifies the evolution and the nature of the law of command responsibility, followed by the elements of command responsibility, such as the "superior-subordinate relationship", the mental elements: "knew or had to know" and the "failure to prevent and punish". A brief comment is also made on the practical application of the law of command responsibility, such as the phases of investigation and prosecution, trial and the conviction and sentence. It primarily draws from the case-law of the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda and the Special Court for Sierra Leone which have taken the lead in the legal development of the law of command responsibility.
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Keyword in English:	INTERNATIONAL CRIMINAL LAW RESPONSIBLE COMMAND CASE LAW TRIAL INTERNATIONAL JURISDICTION
Keyword in French:	DROIT INTERNATIONAL PENAL COMMANDEMENT RESPONSABLE JURISPRUDENCE PROCES JURIDICTION INTERNATIONALE

Call number	Disposability / Due date
344/593	Available