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The competence of UN Human Right Council Commissions of Inquiry to make findings of international crimes / Catherine Harwood

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Abstract:	International commissions of inquiry established by the UN Human Rights Council (HRC) have often gone beyond the realm of international human rights law, also making findings of violations of international humanitarian law (IHL) and international criminal law (ICL). This article discusses HRC commissions' practice of making findings of international crimes by exploring two senses of competence: jurisdiction and proficiency. While some claimed sources of ICL jurisdiction are unpersuasive, commissions may have acquired such jurisdiction through practice. However, viewing ICL through a human rights lens has the potential to distort ICL, blur the boundaries between the bodies of law and damage the wider projects of international human rights and international criminal justice.
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