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Old crimes, new states and the temporal jurisdiction of the International Criminal Court / Alexander Wills

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Abstract:	This article addresses contentious questions about the International Criminal Court's temporal jurisdiction pursuant to a declaration by a state under Article 12(3) of the Rome Statute. In particular, it argues that such declarations can be effective retroactively; that — notwithstanding the express terms of Article 12(3) — states parties can make 12(3) declarations; and that newly-created states can give the Court jurisdiction over crimes committed even before their birth.
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