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Sexual violence and the relevance of the doctrine of superior responsibility in the light of the Katanga judgment at the International Criminal Court / Linnea Kortfält

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Abstract:	In this article, the author sets out to investigate the interplay between sexual violence and various linking theories in international criminal law. She demonstrates some of the possibilities and shortcomings of various modes of liability available to the International Criminal Court with regard to cases involving sexual violence. In so doing it is necessary to thoroughly explain and discuss the potential reasoning of the Court in these matters. Since the case against Germain Katanga presents a perfect illustration of the distinction in application and analysis of the modes of liability with regard to sexual violence as opposed to other crimes, the reasoning provided in said judgment is used as a springboard for such an analysis. Considering the fact that Katanga was acquitted of sexual violence, this investigation mostly demonstrates the deficiencies of these modes of liability and in the vacuum left after such an analysis, the author shows the potential benefits of utilising the doctrine of superior responsibility in cases involving sexual violence.
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Authors:	Kortfält, Linnea

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