International criminal law

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Following is a selective presentation of our library holdings and a brief introduction to how you would use our print and electronic resources to answer various questions related to international criminal law. For additional help, you may ask any Reference Librarian for assistance.

Contents

[hide]

- 1 Searching for International Criminal Law Sources: Use Catalogs, Indexes and other Databases
  - 1.1 Library holdings:
  - 1.2 Web Pages on International Criminal Law
- 2 The International Criminal Court
  - 2.1 Primary Sources in the Law Library
  - 2.2 Secondary Sources in the Law Library
  - 2.3 Helpful Research Guides and Web Portals
- 3 The International Criminal Court for the Former Yugoslavia
  - 3.1 Primary Sources in the Law Library
  - 3.2 Secondary Sources in the Law Library
  - 3.3 Helpful Research Guides and Web Portals
  - 3.4 Westlaw and Lexis
- 4 The International Criminal Court for Rwanda
  - 4.1 Primary Sources in the Law Library
  - 4.2 Secondary Sources in the Law Library
  - 4.3 Helpful Research Guides and Web Portals
- 5 The International Criminal Court System and the United Nations System of Human Rights

Searching for International Criminal Law Sources: Use Catalogs, Indexes and other Databases

Primary responsibility to investigate and punish crimes has always belonged to individual states. Thus, international criminal law is an exception from this rule. Finding books on this topic or similar topics (international jurisdiction) may be daunting so here are a few good points about how to find them:

- Use the Diamond Law Library’s catalog, PEGASUS, to find sources in the law library and use the University Libraries’ catalog, CLIO (go to PEGASUS and choose it from the drop down menu CATALOGS mentioned there), to find resources at other Columbia libraries. You may also use
WorldCat (go to PEGASUS and choose it from the drop down menu under CATALOGS) to find books beyond the Columbia system.

- To find law journal articles that may contain articles on domestic views on international criminal law, use Wilson’s Index to Legal Periodicals. To find foreign interpretations of similar issues, use the Index to Foreign Legal Periodicals. You may access them from PEGASUS (the entry under the E-RESOURCES drop down menu). To find full text journals try our HeinOnline collection of electronic journals. You may access it from PEGASUS (the 1st and 2nd entries under the E-Resources drop down menu).

- To find journal articles in non-legal fields, you may use specific databases which are available from Columbia University Libraries’ Web Page.

- For an in-depth overview of how to search for international and foreign law generally, see Online Ready Reference Tools for Foreign and International Research, and Finding Books and Articles on International and Foreign Law, which are two guides available from PEGASUS (the 11th entry under the E-RESOURCES drop down menu).

**Library holdings:**


  Unlike Kriangsak’s monograph, Cassese’s focuses on the fundemantals of international criminal law, as well as the so called “international crimes” (e.g., aggression, torture, and terrorism).


  This 400-page long monograph of international criminal law also contains concise descriptions of the international criminal courts, from the historical ones, (the Nuremberg and Tokyo tribunals) to the contemporary ones, ICC, ICTY, and ICTR, as well as the statutes of the latter ones.

- **Cherif M. Bassiouni,** A Treatise on International Criminal Law (1986-)

  In 1998, this treatise was re-vamped and re-published in three volumes (v. 1. Crimes -- v. 2. Procedural and enforcement mechanisms -- v. 3. Enforcement) with now the defunct Transnational Publishers (call # JX6700 In882 1998)


  This 700-page monograph provides excellent coverage of the history and jurisprudence of the three criminal tribunals organized within the United Nations system.

**Web Pages on International Criminal Law**

- War Crimes and Crimes against Humanity, Including Genocide (U. of Minnesota)

  A collection of treaties and documents including: Convention on the Prevention and Punishment of the Crime of Genocide; Nuremberg Rules, Punishment of Persons Guilty of War Crimes, Crimes Against Peace and Against Humanity; etc.
The International Criminal Court

The International Criminal Court (ICC) ([http://www.icc-cpi.int/](http://www.icc-cpi.int/)) was established in 2002 as a permanent tribunal to prosecute individuals for genocide, crimes against humanity, war crimes, and the crime of aggression, although it cannot currently exercise jurisdiction over the crime of aggression.

The Court can generally exercise jurisdiction only in cases where the accused is a national of a state party, the alleged crime took place on the territory of a state party, or a situation is referred to the Court by the United Nations Security Council. Furthermore, it can only prosecute crimes committed on or after the date its founding treaty entered into force, July 1, 2002.

As of November 2007, 105 states are members of the Court. Forty one (41) countries have signed but not ratified the Rome Statute ([http://www.un.org/law/icc/index.html](http://www.un.org/law/icc/index.html)), while China, India and the United States have refused to do so.

Primary Sources in the Law Library

- Basic Documents: can be found both in print and [on the web](http://www.legal-tools.org/en/terms-and-conditions-of-use/forPage/%252Fen%252Fgoto-database%252F/?no_cache=1).


- Judgments, Indictments and Proceedings:

  For judgments, indictments and proceedings, the official site offers the best research access. ([http://www.legal-tools.org/en/terms-and-conditions-of-use/forPage/%252Fen%252Fgoto-database%252F/?no_cache=1](http://www.legal-tools.org/en/terms-and-conditions-of-use/forPage/%252Fen%252Fgoto-database%252F/?no_cache=1))

Secondary Sources in the Law Library


  This monograph offers an in-depth view of the court’s procedure.


  This book connects the founding of the Court to the global civil society and deplores the failing of establishing universal jurisdiction.


  This interesting summary of the United State’s official position on this issue is the author’s doctoral thesis renewed for publication.
• **The International Criminal Court and the Crime of Aggression** (Ashgate, 2004).

This compilation of the papers delivered at an international meeting held in Trento in May 2001 contains useful insights about the controversial creation of the Court.


This two-volume commentary represents more than 2000 pages of enthusiastic expert opinions on the role of the Court within the international community.

• **International Criminal Court Briefing Series**. (1996, - 1998) Location 2nd Floor

The library has all eight volumes of this first series of briefings in support of the Court. The author of all eight volumes is the Lawyers Committee for Human Rights (different call numbers)

**Helpful Research Guides and Web Portals**

• Amy Burchfield. **International Criminal Courts for the Former Yugoslavia, Rwanda and Sierra Leone: A Guide to Online and Print Resources**

• **The International Criminal Court's guide to its legal tools**

**The International Criminal Court for the Former Yugoslavia**

The International Criminal Tribunal for the Former Yugoslavia (ICTY) was established in 1993. Its formal name is the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991. It is located in the Hague and its Statute is available on line at [http://www.un.org/icty/legaldoc-e/index.htm](http://www.un.org/icty/legaldoc-e/index.htm).

**Primary Sources in the Law Library**

Basic Documents: can be found both in print and on the web.

Library Holdings of Commercial Publications:

• Andre Klip and Goran Suiter (eds.) **Annotated Leading Cases of International Criminal Tribunals**, Antwerpen: Intersentia, 1999-.

The library has all 12 volumes of annotated cases of selected decisions.


The Digest includes all the decisions on admissibility and merits decided by the Chamber from 1996, when it was constituted, through 2002. It does not include decisions issued in 2003 - the final year of the Chamber’s existence.

The Digest includes judgments publicly available through December 31, 2005. It includes summaries and excerpts from ICTY judgments with details of the general requirements for each crime and underlying offenses.

• International Legal Materials. Washington, D.C.: American Society of International Law, 1962-

This collection of international primary materials also includes some ICTY judgments.

Library Holdings of Official Publications:

• International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 Basic Documents [1995-].

• Judgments, Indictments and Proceedings:

For recent information, the ICTY web site or commercial publications are recommended.


Indictments, decisions and judgments are reprinted. The most official of the reporters, it is published for and on behalf of the United Nations by Kluwer Law International. This publication is up to five years behind.


Published by the Tribunal itself, the Bulletin includes brief information about the tribunal including short updates on some cases. Replaced by the Judicial Supplement in 1999.

• International Criminal Tribunal for the Former Yugoslavia. [The Hague, Netherlands]: The Tribunal, [1999-] . Judicial Supplements

At the ICTY Web Site at: http://www.un.org/icty/publications-e/index.htm Published by the Tribunal itself, it includes summaries of cases.

Secondary Sources in the Law Library

Basic Documents:


This commercial publication includes information about the Rwanda and Yugoslavia tribunals, including basic texts and background.

Judgments, Indictments and Proceedings:
Volume 2 includes background and full-text of selected judgments.


The Yearbook includes information about the work of the tribunal and a bibliography of documents relating to the Tribunal of that year. This publication is several years behind.

Helpful Research Guides and Web Portals

- The International Criminal Tribunal for the Former Yugoslavia
- Amy Burchfield. International Criminal Courts for the Former Yugoslavia, Rwanda and Sierra Leone: A Guide to Online and Print Resources
- University of Minnesota Human Rights Library
- The Project on International Courts and Tribunals

Westlaw and Lexis

Both carry “International Legal Materials.” This database includes the text of some ICTY judgments.

The International Criminal Court for Rwanda

The International Criminal Tribunal for Rwanda (ICTR) was created on November 8, 1994 by the United Nations Security Council. It has jurisdiction to prosecute crimes which occurred in Rwanda between January 1, 1994 and December 31, 1994. So far, the Tribunal has finished 21 trials and convicted 28 accused persons.

Primary Sources in the Law Library

- Basic Documents: can be found both in print and on the web.

This is a commercial publication of experts of cases arranged according to their topic.

- To access the ICTR's jurisprudence, go to http://www.unictr.org/Cases/tabid/204/Default.aspx.

Secondary Sources in the Law Library

This 300-page monograph offers a crisp insight in the work of the tribunal providing a good start for anyone less familiar with this tribunal’s jurisprudence.

Helpful Research Guides and Web Portals

- Amy Burchfield. *International Criminal Courts for the Former Yugoslavia, Rwanda and Sierra Leone: A Guide to Online and Print Resources*

**The International Criminal Court System and the United Nations System of Human Rights**

At the end of World War II, much of the world felt that something should be done to prevent future human rights atrocities. Out of that belief in progress and modernity came the United Nations and the International Court of Justice, also known as the World Court, which is the United Nations organ for settling disputes between nations.

Moreover, the United Nations has created an entire system for the international protection of human rights, and now, for prosecuting certain crimes against humanity. So, how do these international criminal courts fit within the international system of human rights? They are just one piece of the larger maze of agreements and practices that complements efforts of the United Nations in this area. Neither the UN High Commissioner for Human Rights, nor the ICJ or the many international human rights bodies with both legislative and judicial authority have any supervisory powers over these international criminal courts.

However, when individual states do nothing to protect their citizens, the United Nations Security Council may refer situations to the ICC.

The Arthur W. Diamond Law Library has many good sources which will provide an overview of the international criminal system. Here is one of them:


  This monograph offers case studies from such institutions as the International Criminal Court, the European Court of Human Rights, and the UN Women's Convention Committee and it explores “international justice as a process that takes place at the intersection of the often contradictory practices of applicants, lawyers, bureaucrats, victims, accused and others.”

Please send comments regarding this research-aid tool to Dana Neacsu, at dana.neacsu@law.columbia.edu.

Retrieved from "http://library.law.columbia.edu/guides/International_criminal_law"