



International and Transnational Criminal Law (Aspen Casebook)

David Luban, Julie R. O'Sullivan, David Stewart

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Bringing a wealth of experience and insight to a rapidly emerging field of inquiry, International and Transnational Criminal Law offers four-part coverage, dynamic perspective, and historical depth. Ideal for the international criminal law course and well suited to courses on transnational law and international law, this casebook carefully examines procedural issues, transnational crimes, and international crimes.

Features:

- Updated throughout to reflect relevant recent Supreme Court and lower court decisions, amended statutes, developments in treaty law, and current scholarship
- Incorporated recent decisions of the International Court of Justice, the International Criminal Court, and the ad hoc and hybrid tribunals, particularly regarding the elements of international crimes, sentencing norms, and the prosecutor's role
- Expanded references to non-U.S. sources, such as the United Kingdom's Terrorism Act of 2006 and its Bribery Act of 2010
- Sharpened discussion of jurisdiction as well as extradition and evidence gathering
- Extended the terrorism chapter by, inter alia, including the Supreme Court's decision in *Holder v. Humanitarian Law Project* and the Lebanon Tribunal's definition of terrorism; adding materials on the (de)listing of designated foreign terrorist organizations; and updating the materials on military commissions
- Rewrote the International Criminal Court chapter to focus on jurisdiction, admissibility, and the Security Council's role and to concentrate on the Office of the Prosecutor's exercise of prosecutorial judgment, illustrated through Uganda and Sudan case studies
- Substantially amended the modes of participation and mens rea chapter to incorporate recent decisions, eliminate unnecessary complexities, and, consistent with the ICC's practice, to focus on indirect and direct co-perpetration
- Updated the crimes against humanity chapter to reflect developments regarding the "group discrimination" and the "state or organizational policy" elements
- Revised the trafficking in people, drugs, arms, and antiquities chapter
- Included, in the war crimes chapter, the U.S. drone program, the crime of inflicting disproportionate "collateral" civilian damage, and developments on the crime of recruiting child soldiers
- Updated the torture chapter to include developments under the Obama administration
- Updated the Sexual Violence chapter: added the ICC's rape definition and cumulative charging decisions, and discussion of the "new" crime of forced marriage.

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