



**Literature for FKVC36, Peace and Conflict Studies:
International Criminal Justice: When Law meets Politics
applies from spring semester 2022**

Literature established by the board of the Department of Political Science on
2021-11-17 to apply from 2022-01-17

See appendix.

Literature list for FKVC36 Peace and Conflict Studies: International Criminal Justice: When Law meets Politics, 7,5 credits, undergraduate level (G2F)

The literature list was approved by the Board of the Department of Political Science on November 17, 2021.

A. Hinton, L. Douglas, & J. Meierhenrich, (reds.), 2021. *Oxford Handbook on Transitional Justice* (Oxford University Press, 2021).

Adler, N. (red.), 2018. *Understanding the Age of Transitional Justice Crimes, Courts, Commissions, and Chronicling*. Rutgers University Press.

Akhavan, Payam, 2009, "Are International Criminal Tribunals a Disincentive to Peace?: Reconciling Judicial Romanticism with Political Realism", i *Human Rights Quarterly*, Vol. 31, No. 3, pp. 624-654.

Aptel, Cecile, 2012. 'Prosecutorial Discretion at the ICC and Victims' Right to Remedy the Narrowing the Impunity Gap', in *Journal of International Criminal Justice*, Vol. 10 No.5, pp. 1357–1375.

Arnould, Valerie, 2017. 'A Court in Crisis? The ICC in Africa and Beyond'. *Egmont paper No 93*. Egmont Institute; Brussels.

Ba, Oumar, 2020. *In States of Justice: The Politics of the International Criminal Court*. Cambridge University Press.

Ballin, Ernst Hirsch, 2019. "The Value of International Criminal Justice: How Much International Criminal Justice Can the World Afford?", i *International Criminal Law Review*, Vol. 19, No. 2, pp. 201-213.

Blumenthal, Daniel A., 2002. "The Politics of Justice: Why Israel Signed the International Criminal Court Statute and What the Signature Means," i *Georgia Journal of International and Comparative Law*, Vol. 30, Issue 3, pp. 593-616.

Bosco, David, 2017. "Discretion and State Influence at the International Criminal Court: The Prosecutor's Preliminary Examinations", i *American Journal of International Law*, Vol. 111, No. 2, p. 395-414.

Cakmak, Cenap, 2008. "Evolution of the Idea of a Permanent International Criminal Court Prior to World War I", i *Review of International Law and Politics*, Vol. 4, No. 13: 135-149

Clarke, K. M. - Knottnerus, A. S. - E. de Volder, E. (reds), 2016. *Africans And The ICC: Perceptions of Justice*. Cambridge University Press.

Crawford, J & M. Koskeniemi, M. (reds.), 2012. *The Cambridge Companion to International Law*.

Cronin-Furman, Kate, 2013. "Managing Expectations: International Criminal Trials and the Prospects for Deterrence of Mass Atrocity", i *International Journal of Transitional Justice*, Vol. 7, Issue 3, pp. 434–454.

- Dancy, Geoff - Montal, Florencia, 2017. "Unintended Positive Complementarity: Why International Criminal Court Investigations May Increase Domestic Human Rights Prosecutions", i *American Journal of International Law*, Vol. 111, No. 3, pp. 689-723.
- de Hoon, Marieke, 2017. "The Future of the International Criminal Court. On Critique, Legalism and Strengthening the ICC's Legitimacy", i *International Criminal Law Review*, Vol.17, No.4, pp. 591-614.
- Donia, Robert J., 2004. "Encountering the Past: History at the Yugoslav War Crimes Tribunal", i *The Journal of the International Institute*. Vol. 11, Issue 2-3. Permalink: <http://hdl.handle.net/2027/spo.4750978.0011.201>.
- Esakov, Gennady, 2017. "International Criminal Law and Russia: From 'Nuremberg' Passion to 'The Hague' Prejudice", i *Europe-Asia Studies*, Vol.69, No.8, pp. 1184-1200.
- Heller, Kevin Jon, 2008. "What Happens to the Acquitted?", i *Leiden Journal of International Law*, Vol. 21, Issue 3, pp. 663-680.
- Goldsmith, Jack, 2003. "The Self-Defeating International Criminal Court", i *The University of Chicago Law Review*, Vol. 70, No. 1, Centennial Tribute Essays, pp. 89-104.
- Jianping, Lu, & Zhixiang, Wang, 2005. "China's Attitude Towards the ICC", i *Journal of International Criminal Justice*, Vol.3, No.3, pp. 608-620.
- Jia, Bing Bing, 2006. "China and the International Criminal Court: The Current Situation", *Singapore Year Book of International Law*, Vol.10 : pp. 87-98.
- La Haye, Eve, 1999. "The Jurisdiction of the International Criminal Court: Controversies over the Preconditions for Exercising its Jurisdiction", i *Netherlands International Law Review*, Vol. 46, No.01.
- Lee, Roy S. (2002), 'An Assessment of the ICC Statute', i *Fordham International Law Journal*, Vol. 25, No. 3, pp. 750-766.
- Makau, W. Mutua. *Africans and the ICC Hypocrisy, Impunity, and Perversion*.
- Marston Danner, Allison, 2003). "Navigating Law and Politics: The Prosecutor of the International Criminal Court and the Independent Counsel", i *Stanford Law Review*, Vol. 55, No. 5, pp. 1633-1665.
- Martinez, Lucy, 2002). "Prosecuting Terrorists at the International Criminal Court: Possibilities and Problems", i *Rutgers Law Journal*, Vol. 34, No. 1, pp. 1-62.
- McConville, Molly, 2000. "A Global War on Drugs: Why the United States Should Support the Prosecution of Drug Traffickers in the International Criminal Court", i *American Criminal Law Review*, Vol. 37, No. 1, pp. 75-102.
- Nouwen, Sarah. *Justifying justice*.
- Rodman, Kenneth A., 2008. "Darfur and the Limits of Legal Deterrence", i *Human Rights Quarterly*, Vol. 30, No. 3, pp. 529-560.
- O'Brien, Melanie, 2012. "Prosecutorial Discretion as an Obstacle to Prosecution of United Nations Peacekeepers by the International Criminal Court: The Big Fish/Small Fish Debate and the Gravity Threshold", i *Journal of International Criminal Justice*, Vol. 10, No. 3, pp. 525-545.
- Pangalangan, Raul C. 2020. "The International Criminal Court And The Burdens Of Non-Traditional Expectations", i *Gonzaga Law Review*, Vol. 55, Issue 2.

Sander, Barrie, 2018. "The Method Is the Message: Law, Narrative Authority and Historical "Contestation in International Criminal Courts", i *Melbourne Journal of International Law*, Vol. 19, No. 1, pp. 299-334.

Schabas, William A., 2008. "Prosecutorial Discretion v. Judicial Activism at the International Criminal Court", i *Journal of International Criminal Justice*, Vol. 6, No 4, pp. 731-761.

Stolk, Sofia, 2015. "The Record on Which History Will Judge Us Tomorrow: Auto-History in the Opening Statements of International Criminal Trials", i *Leiden Journal of International Law*, Vol. 28, No. 04, pp. 993-1012.

Thijs b. Bouwknecht. *The international criminal trial record as historical source*

van den Herik, Larissa, 2009. "The Difficulties of Exercising Extraterritorial Criminal Jurisdiction: The Acquittal of a Dutch Businessman for Crimes Committed in Liberia", i *International Criminal Law Review*, Vol. 9, No. 1, pp. 211-226.

Wilson, Richard Ashby, 2016) "Propaganda and History in International Criminal Trials", *Journal of International Criminal Justice*, Vol. 14, No. 3, pp. 519-541.

Wilson, Richard Ashby and Petrovic, Vladimir. *Transitional Justice Histories: Narrating Mass Atrocities*. (tillgänglig: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3914435)

Traktat och officiella dokument:

International Criminal Court. Statute

International Criminal Court Rules of Procedure and Evidence

International Criminal Court – Office of the Prosecutor. Policy Paper on the Interest of Justice

International Criminal Court – Office of the Prosecutor. Policy Paper on Victims' Participation (

International Criminal Court – Office of the Prosecutor. Policy Paper on Preliminary Examinations

International Criminal Court – Office of the Prosecutor. Policy Paper on Case selection and prioritization

International Criminal Court - Trust Fund For Victims: background information August 2008.

Övriga publikationer:

6 Part Investigative Journalism special on Trust fund for victims by JUSTICEINFO.NET by: Janet Anderson, Stephanie van den Berg, Lisa Clifford, Grace Matsiko, & Franck Petit
(tillgänglig: <https://www.justiceinfo.net/en/68637-failure-icc-victims-fund.html> (transkript ca. 17 s.)