



# International Criminal Procedure

*By Christoph Safferling*

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## **International Criminal Procedure** By Christoph Safferling

This book sets out and analyses the procedural law applied by international criminal tribunals and the International Criminal Court (ICC). It traces the development of international criminal procedure from its roots in the International Military Tribunal at Nuremberg to its current application by the Yugoslav and Rwanda Tribunals, the Special Court for Sierra Leone, the Extraordinary Chamber in the Courts of Cambodia, and the International Criminal Court. All of these tribunals apply a different set of rules. The focus of this book, however, lies on the ICC and its procedural regime as contained in the Rome Statute, the Rules of Procedure and Evidence, and the different Regulations of the Court and of the Prosecutor.

The exceptional compromise between common and civil law which formed the basis of the ICC's Statute created a unique procedural order. This book systematically analyses the Court's organizational structure, overall procedural setting, and the individual procedural regulations, and compares and contrasts these to other international criminal tribunals. Amongst the many unresolved procedural issues are the rights of the accused before, during, and after the trial, the disclosure of evidence, the presentation of evidence, the participation of victims, the protection of witnesses, and the cooperation between the ICC and individual states. Through looking at these issues, the book develops a concise and fitting theoretical underpinning for the ICC's procedural order that is not founded on any specific legal culture.

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## **Editorial Review**

### Review

The author sets out the methods and sources of international criminal procedure ... His aim is to discuss and comment on the criminal procedure as this is practiced in the various tribunals and this he does in admirable fashion. This is an exceptional scholarly output that provides the best possible account of the theory and sources of international criminal procedure while at the same time examining in detail the pertinent rules. Ilias Bantekas, *International Criminal Law Review* 13 Safferling's book is both useful and necessary; and does assist with bridging the gap between academia and practice into the future. *Journal of International Criminal Justice*

### About the Author

**Christoph Safferling**, 1971, (Dr. iur., LL.M.) studied law in Munich and London. He received his doctoral degree at the University of Munich in 1999, and passed the bar exam in 2000. Afterwards he held the position of Assistant Professor of Law at the University of Erlangen-Nuremberg. Since 2006 he has been Professor of Criminal Law, Criminal Procedure, International Criminal Law and Public International Law at the Philipps-University of Marburg, Director of the International Research and Documentation Centre for War Crimes Trials, and the Whitney R. Harris International Law Fellow at the Jackson Center, Jamestown, N.Y. He is member of the advisory board to the city of Nuremberg in relation to the the "Memorial Nuremberg Trials".

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