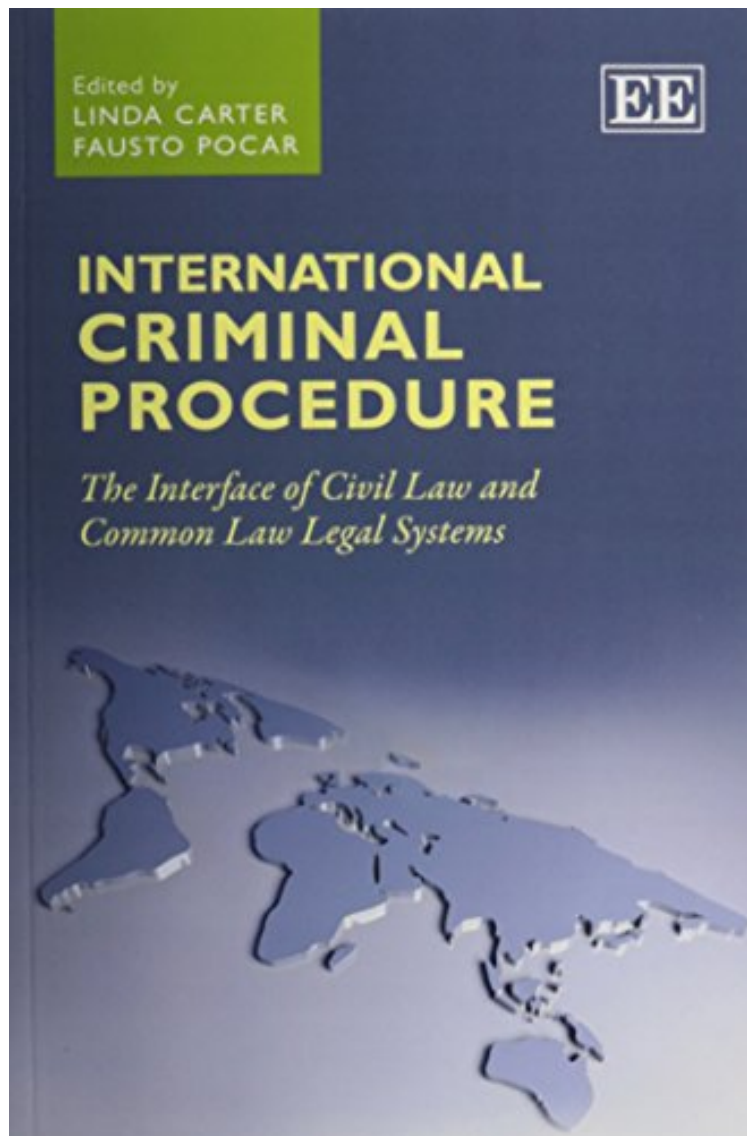


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International Criminal Procedure: The Interface of Civil Law and Common Law Legal Systems

Fausto Pocar, Linda Carter

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INTERNATIONAL CRIMINAL TRIBUNALS FROM A COMPARATIVE LAW PERSPECTIVE
An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers
If you are professionally involved in the field of criminal law, particularly international criminal law, you'll be interested, in acquiring this book, published recently by Edward Elgar. The point about international criminal courts or tribunals is quickly made by the book's editors and that is, that the choice of procedures appears to be fluid and dependent largely on the individual choices of individual judges. As the precedents for international court processes have evolved, (since Nuremberg and the International Criminal Tribunal for the former Yugoslavia) these choices tended to reflect a complex and certainly interesting interaction between civil law and common law hence the basic idea behind this book as these are the two systems to which international criminal courts appear to have turned. The impact generated by both systems -- and the resulting outcomes -- is painstakingly and extensively analysed by the editors and their team of learned contributors, who come from various parts of the world and whose impressive CVs indicate their familiarity with both common and civil law. Covering such topics as plea bargaining written and oral evidence... the role of victims the right to appeal and much more, the book also presents a ten page table of cases, a detailed index and innumerable references in the footnotes throughout. In this curious blend of civil and common law procedures in international criminal trials lies the fascination of this book. And as such trials become more commonplace in our increasingly global village, such a blend might well become the norm in the conduct of a prosecution. It will be interesting for professionals and academics involved in this newly emerging discipline to wait and see, aided in their observations by the insights contained in this thought provoking book.

'International Criminal Procedure, edited by two insiders to international criminal proceedings, Professor Linda Carter and Professor Fausto Pocar, a judge at the ICTY and a former President of this Tribunal, is a coherently organized, well-researched, very informative and not the least elegantly-written contribution to a young and rapidly developing legal sub-discipline. The book provides its reader with a highly accessible and up-to date introduction into key elements of international criminal procedure as well as with critical commentary and rich inspiration for improvements of current practices.' - Claus Kre LL.M. (Cantab.), University of Cologne, Germany and Institute for International Peace and Security Law
This book addresses compelling issues that have come before international criminal tribunals. They include the self-representation of accused persons, plea bargaining and victim participation. It usefully approaches all of the issues and problems from a comparative law perspective. This excellent and accessible work is essential reading for practitioners, faculty and students of international criminal law.' - Richard Goldstone, Retired Justice of the Constitutional Court of South Africa and former Chief Prosecutor of the International Criminal Tribunals for the former Yugoslavia and for Rwanda
The emergence of international criminal courts, beginning with the International Criminal Tribunal for the former Yugoslavia and including the International Criminal Court, has also brought an evolving international criminal procedure. In this book, the authors examine selected issues that reflect a blending of, or choice between, civil law and common law models of procedure. The topics include background on civil law and common law legal systems; plea bargaining; witness proofing; written and oral evidence; self-representation and the use of assigned, standby, and amicus counsel; the role of victims; and the right to appeal. International Criminal Procedure will appeal to academics, students, researchers, lawyers and judges working in the field of international criminal law. Contributors: G. Acquaviva, L. Carter, H. Garry, S. Horovitz, C.C. Jalloh, M. Maystre, F. Pocar, J.I. Turner

'Professor Carter, Judge Pocar and the individual authors of ICP have made an important contribution to international justice by blending many of the challenges of crafting the right international criminal procedures into a single, useful volume.' -- Dan Saxon, The Cambridge Law Journal
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