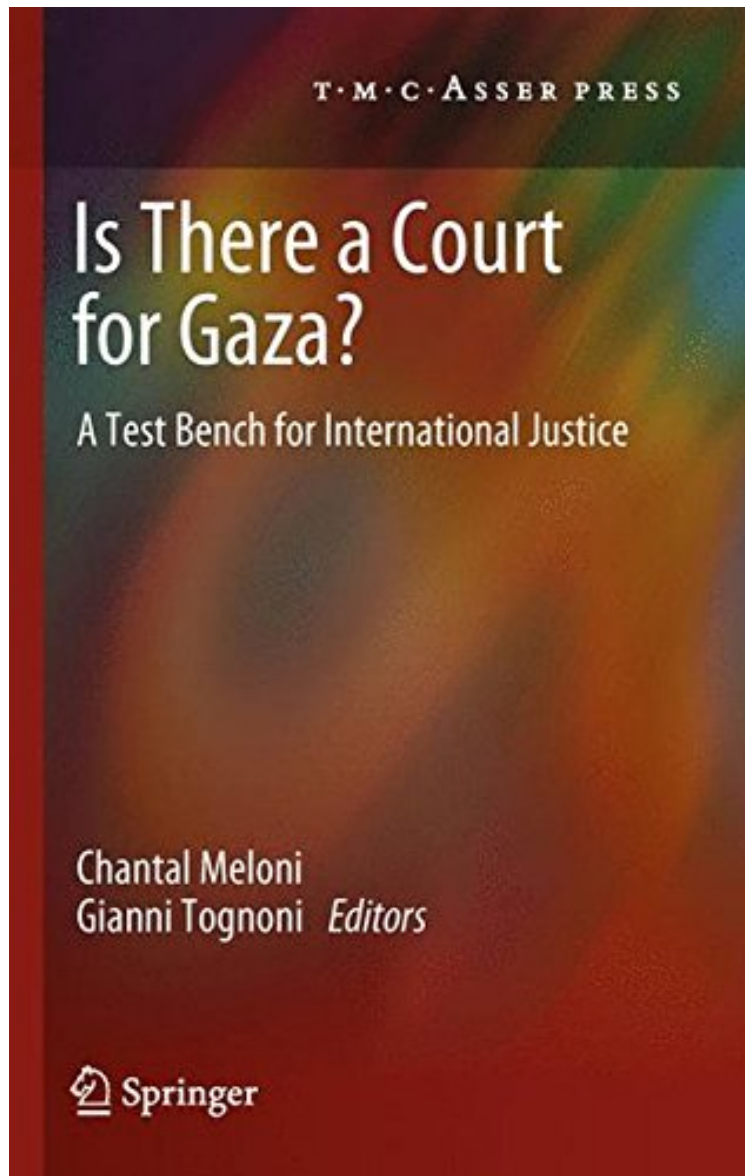


(Library ebook) Is There a Court for Gaza?: A Test Bench for International Justice

Is There a Court for Gaza?: A Test Bench for International Justice

From T.M.C. Asser Press

*ePub | *DOC | audiobook | ebooks | Download PDF*



DOWNLOAD



READ ONLINE

#7019152 in Books 2012-03-14Original language:EnglishPDF # 1 9.10 x 1.40 x 6.30l, 2.15 #File Name:
9067048194594 pages | File size: 28.Mb

From T.M.C. Asser Press : Is There a Court for Gaza?: A Test Bench for International Justice before purchasing it in order to gage whether or not it would be worth my time, and all praised Is There a Court for Gaza?: A Test Bench for International Justice:

The 'Goldstone Report' of September 2009 started a critical debate at the international level. The Report raised serious allegations of grave violations of international law with regard to the Israeli attack on Gaza of 27 December 2008 - 18 January 2009, amounting to possible war crimes and crimes against humanity. The UN General Assembly and the Human Rights Council, amidst high political pressure, endorsed the Reports recommendations, calling for prompt and proper investigations to ensure accountability and justice for the victims. Given the lack of proper investigations at the national level, international justice mechanisms are now needed. Indeed, the ICC opened a preliminary examination of the situation but difficulties arose because of the uncertain status of the occupied Palestinian territory. The issue of the existence of a State of Palestine is extremely actual and still unsolved at the UN level. With a foreword by prof. William Schabas, the book collects contributions by renowned international law professors as Eric David, John Dugard, Richard Falk and many other distinguished scholars and lawyers, and brings together for the first time essential documentation on the 'Gaza conflict'. The underlying question, whether there is a court for Gaza, can be seen as a test case for international justice, and shed a light on the role of international institutions in the difficult combination of law and politics that connotes international justice. Useful for all those interested in the Israeli-Palestinian conflict, such as international and criminal law scholars, and human rights and humanitarian organizations.

From the Back Cover This volume asks: Is There a Court for Gaza? The answer is a resounding yes. Indeed, there are at least two courts capable of addressing the armed conflict in Gaza that took place in December 2008 and January 2009: the International Court of Justice and the International Criminal Court. But neither of them has jurisdiction prima facie. The challenge, then, is to resolve the difficulties in establishing jurisdiction. Once this is done, the merits, which have only partially been addressed in the Goldstone Report, can be litigated. Even then, there are limits to the subject-matter jurisdiction that are likely to confine the judicial debate. From the foreword by prof. William Schabas, Professor of International Law, Middlesex University, London With contributions of: Robert W. Ash; Frank Barat; Jennifer Barnette; Eric David; Gabriele Della Morte; Gilles Devers; John Dugard; Richard Falk; Mireille Fanon Mendes-France; Vera Gowlland-Debbas; Michael G. Kearney; Flavia Lattanzi; Daniel Machover; Chantal Meloni; Daragh Murray; Giuseppe Palmisano; Alain Pellet; John Quigley; Francois Rigaux; Yal Ronen; Yuval Shany; Raji Sourani; Gianni Tognini; Sharon Weill; Liesbeth Zegveld The Israeli attack on Gaza of 27 December 2008 18 January 2009 (so-called Operation Cast Lead). started a critical debate at the international level on the alleged war crimes and possible crimes against humanity committed during and before the operation. In September 2009, the UN Fact Finding Mission on the Gaza Conflict presented its results in what became known as the Goldstone Report. The UN General Assembly and the Human Rights Council, amidst high political pressure, endorsed the Reports recommendations, calling for prompt and adequate investigations by both sides to ensure accountability and justice for the victims of the conflict. In case of lack of proper domestic investigations and prosecutions, it was recommended to activate international justice mechanisms. The Prosecutor of the International Criminal Court opened a preliminary examination of the situation, but difficulties arose because of the uncertain status of the occupied Palestinian territory. The issue of the recognition of a State of Palestine is of extreme actuality and is currently under examination before the UN in New York (after President Abbas UN bid for recognition, of September 2011). This book brings together for the first time essential documentation on the legal follow-up to the Gaza conflict and relevant critical literature by renowned international law professors and distinguished scholars and lawyers. The underlying question, whether there is a court for Gaza, can be seen as a test case for international justice, and sheds a light on the role of international institutions in the difficult mixture of law and politics that connotes international justice. The book is a useful tool not only for all parties to any extent involved or interested in the Israeli-Palestinian conflict, but at the same time for all those interested in the issue of accountability for international crimes and in the challenges that international justice is facing. Dr. Chantal Meloni is a researcher in international criminal law at the University of Milan, and an Alexander Von Humboldt scholar at the University of Berlin. She was based in Gaza during 2010, at the Palestinian Centre for Human Rights (PCHR). Dr. Gianni Tognoni, medical doctor, is Secretary-General to the Permanent Peoples' Tribunal, residing in the Lelio Basso Foundation, Rome, Italy. In his position, he is coordinating many research-projects in epidemiology, public health and human rights.