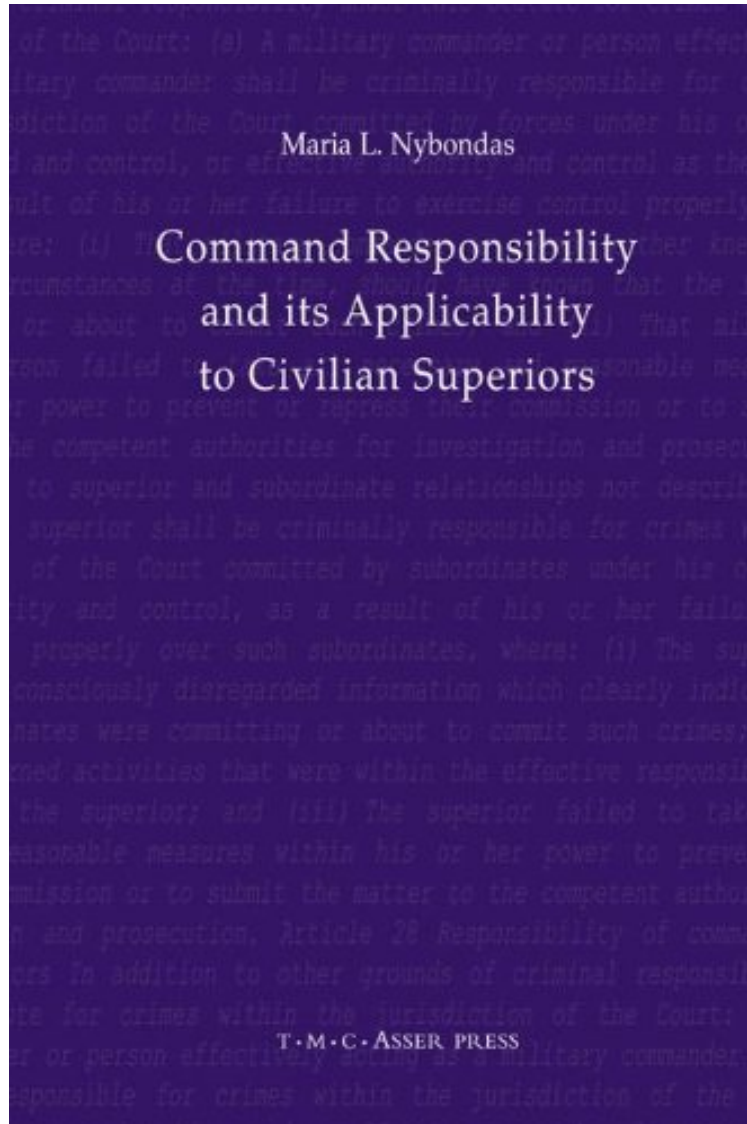



(Library ebook) Command Responsibility and Its Applicability to Civilian Superiors


Command Responsibility and Its Applicability to Civilian Superiors

Maria L. Nybondas

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Maria L. Nybondas : Command Responsibility and Its Applicability to Civilian Superiors before purchasing it in order to gage whether or not it would be worth my time, and all praised Command Responsibility and Its Applicability to Civilian Superiors:

Article 28 of the Rome Statute explicitly provides that the command responsibility doctrine may be applied to both 'commanders and other superiors', and sets out separate criteria for the two categories of superiors. The question arises

how the doctrine should be applied by the ICC and by other international courts and tribunals. Up until now, the doctrine has been applied to both military and civilian superiors without a distinctive provision. Maria L. Nybondas examines the applicability of the command responsibility doctrine to civilian superiors, taking as a point of departure the origin of the doctrine and the unique position of the commander. An analysis of cases against civilian leaders identifies the challenges that prosecutors and judges face in these cases. The book provides an assessment of the hurdles in the application of the doctrine, and offers a solution which is based on respect for the purpose of the doctrine.

About the Author Maria L. Nybondas is an Associate Researcher at T.M.C. Asser Instituut, The Hague.