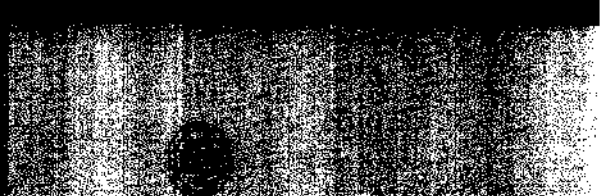
ISSN 1478-1387

VOLUME 4, NO. 3
JULY 2006

JOURNAL OF INTERNATIONAL CRIMINAL JUSTICE

www.jicj.oxfordjournals.org



JOURNAL OF
INTERNATIONAL
CRIMINAL
JUSTICE

VOLUME 4, NO. 3
JULY 2006

CONTENTS

Editorial 419

Editorial Comments

Where is the ICC Heading?

The ICC — *Quo Vadis?*
M.C. BASSIOUNI 421

The ICC — Two Courts in One?
G.P. FLETCHER and J.D. OHLIN 428

Is the ICC Still Having Teething Problems?
A. CASSESE 434

Guantánamo Revisited

The *Hamdan* Case and Conspiracy as a War Crime: A New Beginning for International Law in the US
G.P. FLETCHER 442

Articles

Critical Thoughts on Article 59(2) of the ICC Statute
M.M. EL ZEIDY 448

Corruption as an International Crime and Crime against Humanity: An Outline of Supplementary Criminal Justice Policies
I. BANTEKAS 466

Symposia

National Prosecution of Organized Crime

(Edited by S. Zappalà)

Foreword
S. ZAPPALÀ 485

Fighting Corruption: The Peruvian Experience
N. CALDERÓN NAVARRO 488

Investigating and Prosecuting Large-scale Corruption: The Italian Experience
G. COLOMBO 510

Fighting Organized Crime, with Particular Reference to Mafia Crimes in Italy
P.L. VIGNA 522

The Prosecutor's Toolbox: Investigating and Prosecuting Organized Crime in the United States
W.J. NARDINI 528

Investigation and Prosecution of Large-scale Crimes at the International Level: The Experience of the ICTY
C. DEL PONTE 539

The Twists and Turns of Universal Jurisdiction

(Edited by A. Cassese)

Foreword
A. CASSESE 559

Universal Jurisdiction over International Crimes and the *Institut de Droit international*
C. KREß 561

The Spanish Constitutional Tribunal's Decision in *Guatemalan Generals*: Unconditional Universality is Back
H. ASCENSIO 586

Universal Jurisdiction of Spanish Courts over Genocide in Tibet: Can it Work?
C.A.E. BAKKER 595

The German Federal Prosecutor's Decision not to Prosecute a Former Uzbek Minister: Missed Opportunity or Prosecutorial Wisdom?
S. ZAPPALÀ 602

Highlights

Current Developments at the Ad Hoc International Criminal Tribunals
D.A. MUNDIS and F. GAYNOR 623