ISSN 1478-1387

VOLUME 6, NO. 5 NOVEMBER 2008

JOURNAL OF INTERNATIONAL CRIMINAL JUSTICE



www.jicj.oxfordjournals.org

JOURNAL OF INTERNATIONAL CRIMINAL JUSTICE

VOLUME 6, NO. 5 NOVEMBER 2008

CONTENTS

CONTENTS	
Editorial	827
Editorial Comments	
Recent Steps of the ICC Prosecutor in the Darfur Situation: Prosec utor v. President	
The Prosecutor's Strategy in Seeking the Arrest of Sudanese President Al Bashir on Charges of Genocide A.T. CAYLEY	829
The Request for an Arrest Warrant in <i>Al Bashir</i> : Idealistic Posturing or Calculated Plan? C. GOSNELL	841
On the Application of a Theory of Indirect Perpetration in Al Bashir: German Doctrine at The Hague? E. JESSBERGER and J. GENEUSS	853
Obtaining Cooperation from Sudan — Where is the Law? G. SLUITER	871
The Proceedings against President Al Bashir and the Prospects of their Suspension under Article 16 ICC Statute	0,1
A. CIAMPI	885
Workshop	
Corporate Criminal Liability: New Developments in International Criminal Law	
Extending International Criminal Law beyond the Individual to Corporations and Armed Opposition Groups	
A. CLAPHAM	899

Societas delinquere non potest? A German Perspective	
T. WEIGEND	927
Discussion	947
Notes and Comments	
Can Rwandan President Kagame be held Responsible at the ICTR for the Killing of President Habyarimana? P. ROBINSON and G. GHAHRAMAN	981
French Justice's Endeavours to Substitute for the ICTR	701
V. THALMANN	995
The Spanish Indictment of High-ranking Rwandan Officials COMMENTATOR	1003
Forced Marriage as a Crime against Humanity: Problems of Definition and Prosecution	
N. Jain	1013
Advancing International Criminal Law: The Special Court for Sierra Leone Recognizes Forced Marriage as a 'New' Crime against Humanity	
M. FRULLI	1033
The European Court of Human Rights' Incidental Application of International Criminal Law and Humanitarian Law: A Critical Discussion of Kononov v. Latvia	
G. PINZAUTI	1043
Using International Law to By-pass Domestic Legal Hurdles: On the Applicability of the Statute of Limitations in the Menéndez et al. Case	
G. CHAVEZTAFUR	1061
The Italian Court of Cassation Misapprehends the Notion of War Crimes: The Lozano Case	
A. CASSESE	1077
Hig hlights	
Current Developments at the Ad Hoc International Criminal Tribunals	
K. Gustafson and N. Janisiewicz	1091