### **Contents**

On the Authors VII Introduction XI

# PART 1 A Way to the Rome Statute and Beyond

- 1 Ad Hoc Tribunals and Their Significance for Developing the Activities of the ICC 3

  Anna Richterová
- The System of Operation of International Criminal Justice Fora, in Particular of the International Criminal Court Will the Future Be Governed by Politics, Orders or Law?

  13

  Tamás Lattmann
- The Rome Statute of the ICC and the Recent Works of the International Law Commission 27

  Pavel Šturma

# PART 2 Contribution of the ICC to the Definition and Interpretation of International Crimes

- 4 On the Activation of ICC Jurisdiction over the Crime of Aggression 45  $\it Claus\ Kre \beta$
- 5 International Criminal Court, War Crimes and Crimes against Humanity 65 Josef Mrázek
- 6 Contribution of the International Criminal Court to the Prosecution of Sexual and Gender-Based Crimes: between Promise and Practice 83

  \*\*Kateřina Uhlířová\*\*

VI CONTENTS

7 Mental Element (Mens Rea) of the Crime of Aggression and Related Issues 106 Milan Lipovský

## PART 3 Preliminary Examination and Investigation

- 8 Making the Wrong Enemies? The ICC Prosecutor's Dilemma When
  Targeting Powerful States at the Preliminary Examination Stage 125
  Iryna Marchuk and Aloka Wanigasuriya
- 9 The International Criminal Court and Syria: the Absence of Jurisdiction and the Pressing Need for International Criminal Justice 148

  Jan Lhotský
- 10 The Principle of Complementarity in Practice 163 Kristýna Urbanová
- 11 Al-Bashir and the ICC Tag, Hide-and-Seek ... or Rather Blind Man's
  Bluff? 177
  Ondřej Svaček

#### PART 4

#### **Trials**

- 12 All Roads Lead to Rome Lifting the Veil on the ICC's Procedural Pluriformity 193

  Simon De Smet
- 13 Experience from the Special Tribunal for Lebanon 207 Ivana Hrdličková

Bibliography 223 Index 251