INDIVIDUAL CRIMINAL RESPONSIBILITY AND STATE RESPONSIBILITY FOR WAR CRIMES

GENTIAN ZYBERI
NORWEGIAN CENTRE FOR HUMAN RIGHTS
UNIVERSITY OF OSLO
Outline

- Introduction/ wars – armed conflicts.
- Primary and secondary rules.
- War crimes – the grave breaches system.
- Individual criminal responsibility.
- State responsibility.
- Relevant legal mechanisms and processes.
- Concluding remarks.

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Wars, War Crimes and Responses

- Wars/ armed conflict: WWI; WWII; former Yugoslavia; Great Lakes Region in Africa; Chechnya; Iraq, Afghanistan, Georgia, Libya, Syria, etc.

- Ad hoc, fragmented and incomplete justice!

- No clear or consistent pattern of international justice emerges from responses to crimes committed during these armed conflicts!

- General response: Individual criminal responsibility and State reparations for war crimes.
Definition and Brief History

- War crimes are serious violations of the laws of war (LOAC) — or international humanitarian law (IHL) — which trigger individual criminal responsibility and State responsibility.

- While limitations on the conduct of armed conflict date back at least to the Chinese thinker Sun Tzu (Art of War, 6th century b.c.), the ancient Greeks were among the first to regard such prohibitions as law.

- The notion of war crimes per se appeared more fully in the Hindu code of Manu (circa 200 b.c.), and eventually made its way into Roman and European law.
Examples of Restrictions in Warfare

- The Old Testament (Deuteronomy 20:19, 20) forbids the destruction of fruit-bearing trees in enemy territory.

- The Code of Manu ordered that an enemy must not be harmed if he is asleep, or naked, or turning to flight, or defenseless, or folding his hands to ask for mercy.

- The teachings of jurists and philosophers of the 17th and 18th centuries did much to humanize the conduct of belligerents.

- Montesquieu (1689-1755) held that to murder prisoners of war is contrary to all law.

- Jean Jacques Rousseau (1712-1778) added that they must not be held in dungeons or prisons, or put in iron, but should be placed in healthy conditions and liberated after the end of the war.
The first war crimes trial in history in the technical sense of the term (i.e., punishment of transgression of the law of war through judicial procedure) appears to have been the trial by an English court in 1305 of Sir William Wallace, for waging a war of extermination against the English population, “sparing neither age nor sex, monk nor nun.”

By World War I, States had accepted that certain violations of the laws of war—much of which had been codified in the Hague Conventions of 1899 and 1907—were punishable crimes.

Article 6(b) of the 1945 Charter of the International Military Tribunal at Nuremberg defined war crimes as “violations of the laws or customs of war”.
Primary and Secondary Rules

- ‘It is one thing to define a rule and the content of the obligation it imposes, and another to determine whether that obligation has been violated and what should be the consequence of the violation. Only the second aspect of the matter comes within the sphere of responsibility proper.’ – Roberto Ago, Yearbook of the International Law Commission, 1970, Vol. II, UN Doc. A/CN.4/233, p. 178, para. 7.

- **Primary rules** are concerned with the actions that individuals must or must not do, whereas the **secondary rules** specify the ways in which the primary rules may be conclusively ascertained, introduced, eliminated, varied, and the fact of their violation conclusively determined. – HLA Hart, The Concept of Law, second edition (Oxford University Press, 1997), pp. 79-99, at 94.
Primary Rules – Sources (I)

- **Primary sources:**
  - **International Treaties:** Hague Regulations of 1899 and 1907; 1949 Geneva Conventions; 1977 APs; other IHL instruments; and Statutes of Int’l Courts (ICs);
  - Customary international law;
  - General principles of law.

- **Secondary sources:**
  - Judicial decisions (case law of international courts and tribunals and high national courts).
  - Teachings of highly qualified publicists/jurists (academic literature).

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• Treaties intended to be *universal* in scope (e.g. 1949 GCs).

• Their *object* is to safeguard the very existence of certain human groups and also *to confirm and endorse* the *most elementary principles of morality*.

• *No individual advantages or disadvantages to States, or maintenance of a perfect contractual balance* between *rights and duties*. 
War Crimes under the 1907 Hague Regulations

- War crimes related to the conduct of hostilities:
  - Use of poisonous weapons;
  - Wanton destruction of cities not justified by military necessity;
  - Attacks on undefended localities;
  - Attacks on religious and cultural institutions; and
  - Plunder of public and private property.
War Crimes at Nuremberg

- War crimes listed in the **Nuremberg Military Tribunal Statute**, Article 6(b), included:
  - **Murder**, **ill-treatment**, or **deportation** of civilians in occupied territory;
  - **murder** or ill-treatment of prisoners of war;
  - **killing of hostages**;
  - **plunder** of public or private property (**pillage**);
  - **wanton destruction** of cities, towns and villages; and
  - any **devastation not justified by military necessity**.
The 1949 Geneva Conventions, which codified IHL after World War II, marked the first inclusion in a humanitarian law treaty of a concept expressed in a set of serious war crimes, namely the grave breaches of the GCs.

Each of the four 1949 GCs (on wounded and sick on land, wounded and sick at sea, prisoners of war, and civilians) contains its own list of grave breaches.

- GC 1 Art. 50; GC 2 Art 51; GC 3 Art 130; GC 4 Art. 147.
List of Grave Breaches of the GCs (1)

- Grave breaches include any of the following acts, if committed against persons or property protected by the Convention:
- Willful killing;
- Torture or inhuman treatment (including medical experiments);
- Willfully causing great suffering or serious injury to body or health;
- Extensive destruction and appropriation of property not justified by military necessity and carried out unlawfully and wantonly;
- Compelling a POW or civilian to serve in the forces of the hostile power;
- Willfully depriving a POW or protected civilian of the rights of a fair and regular trial;
Grave Breaches of the GCs (2)

- *Unlawful* deportation or transfer of a protected civilian;
- *Unlawful* confinement of a protected civilian; and
- Taking of hostages.
- Under the Geneva Conventions and Additional Protocol I, **States** must prosecute persons accused of grave breaches or hand them over to a State willing to do so (the **obligation** of *aut dedere, aut judicare*).
Grave Breaches System – 1977 AP I

• AP I, Art. 11 (Protection of Persons); Art. 85 (Repression of Breaches):

• Some additions to the 1949 GCs:
  • Certain medical experimentation;
  • Making civilians and non-defended localities the object or inevitable victims of attack;
  • The perfidious use of the Red Cross or Red Crescent emblem;
  • Transfer by an occupying power of parts of its population to occupied territory;
  • Unjustifiable delays in repatriation of POWs;
  • Apartheid;
  • Attack on historic monuments; and
  • Depriving protected persons of a fair trial.
Secondary Rules and Related Processes (1)

- **Individual criminal responsibility** (cases brought before int’l criminal courts and tribunals; domestic courts);

- **State responsibility** for serious humanitarian law violations (generally cases brought before international courts settling inter-State disputes);

- **Shared responsibility**.
Secondary Rules and Related Processes (2)

- Individual criminal responsibility and State responsibility; legal processes and (problematic) State cooperation!
- Separating individual and State responsibility:
  - *State official immunity* or ‘act of State’ doctrine as an excuse for escaping individual criminal responsibility before ICs (removed in the ICTY, ICTR, ICC, and the SCSL Statutes).
  - *Immunity in foreign domestic criminal proceedings* for incumbent heads of State or of governments and senior State officials (*Arrest Warrant* case, ICJ).
  - *State immunity in foreign domestic proceedings concerning* the granting of reparations for violations of IHL (*Ferrini* (Italy); *Prefecture of Voitia* (Greece); *Jurisdictional Immunities of the State* case - ICJ).
- State responsibility for not instituting criminal proceedings against a former head of State for violations of human rights and humanitarian law (*Obligation to Prosecute or Extradite* case, ICJ).
- Fragmented system of international justice!

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Individual Criminal Responsibility

INVESTIGATING AND PROSECUTING WAR CRIMES BEFORE INTERNATIONAL CRIMINAL COURTS AND TRIBUNALS (ICs)
Individual Criminal Responsibility

- Crimes against international law are committed by men, not by abstract entities, and only by punishing individuals who commit such crimes can the provisions of international law be enforced (IMTN, *Trial of German Major War Criminals*, 1946).


- International courts and tribunals – domestic courts.
Modes of Individual Criminal Responsibility

- Direct perpetration;
- Co-perpetration;
- Joint Criminal Enterprise (JCE);
- Command responsibility or Superior responsibility.

- (Aiding and abetting, complicity, conspiracy, incitement, instigation, ordering, and planning).
Elements of Individual Criminal Responsibility

- *Actus reus* (action or omission to act which brings about the criminal result).

- *Mens rea* (state of mind, intent: volition and negligence).

- The prohibited conduct is criminalized (*nullum crimen, nulla poena sine (praevia) lege (poenali)*).
ICC Statute, Article 25:
1. The Court shall have jurisdiction over natural persons pursuant to this Statute.
2. A person who commits a crime within the jurisdiction of the Court shall be individually responsible and liable for punishment in accordance with this Statute.
3. In accordance with this Statute, a person shall be criminally responsible and liable for punishment for a crime within the jurisdiction of the Court if that person:
(a) **Commits** such a crime, whether as an individual, jointly with another or through another person, regardless of whether that other person is criminally responsible;

(b) **Orders, solicits or induces** the commission of such a crime which in fact occurs or is attempted;

(c) For the purpose of facilitating the commission of such a crime, **aids, abets or otherwise assists** in its commission or its attempted commission, including providing the means for its commission;

(d) In any other way **contributes to the commission or attempted commission** of such a crime by a group of persons acting with a common purpose.
Imputed criminal responsibility for a subordinate’s unlawful conduct is based on the superior’s failure to act in order to:

1. Prevent a specific unlawful conduct;
2. Provide for general measures likely to prevent or deter unlawful conduct;
3. Investigate allegations of unlawful conduct;
4. Prosecute, and upon conviction punish the author of the unlawful conduct.

The objective legal standard would be based on the ordinary reasonable person having the superior’s knowledge of the facts and operating under like circumstances.

Note, however, that setting the working legal standard is a matter of legal policy.
Article 7 of the IMT Charter reads: “The official position of defendants, whether as Heads of State or responsible officials in Government Departments, shall not be considered as freeing them from responsibility or mitigating punishment.”

In the High Command case the defendants, senior officers in the German High Command were arraigned for their part in implementing Hitler’s program to exterminate unfriendly civilians, communists and commandos that was carried out by subordinates.

Similarly, in the Hostages case the accused were convicted for acquiescing in the execution of civilian hostages in retaliation for guerilla attacks on German forces in the Balkans.
Superior Responsibility at the IMTs (2)

- The doctrine of superior responsibility was applied to all persons with power over others, whether in a purely military context or not.
- The *Ministries case* was concerned with the failure of officials in the Reich government to oppose the annihilation of the Jewish population and with the actions to prevent those crimes legally required of those officials (failure to act).
- In the *Roechling Enterprises case* German industrialists were found responsible for acts of slave labor, murder and ill-treatment of civilians and POWs who worked in their firms because they had the power and influence to prevent those crimes or at least reduce them considerably.
Deciding on Superior Responsibility at ICs

- Elements for a fact finder to consider in ruling upon superior responsibility for criminal acts/omissions:
  - number, type and scope of illegal acts;
  - number and type of troops and logistics involved;
  - geographical location and widespread occurrence of the acts;
  - tactical tempo of (military) operations;
  - *modus operandi* of similar illegal acts;
  - officers and staff involved;
  - location of the commander at the time.
Categories of War Crimes

1. War crimes against persons requiring particular protection.
2. War crimes against property and other rights.
3. Prohibited methods of warfare:
   A) attacks on non-military targets;
   B) other prohibited methods.
4. Prohibited means of warfare.
5. Crimes against humanitarian assistance and peacekeeping operations.
War Crimes at the ICTY

- **ICTY Statute** (UNSC Resolution 827, 25 May 1993).
- **Article 2** – Grave breaches of the Geneva Conventions of 1949 (acts against persons or property).
- **Article 3** – Violations of the laws or customs of war (include, but not be limited to):
  - (a) employment of poisonous weapons or other weapons calculated to cause unnecessary suffering;
  - (b) wanton destruction of cities, towns or villages, or devastation not justified by military necessity;
  - (c) attack, or bombardment, by whatever means, of undefended towns, villages, dwellings, or buildings;
  - (d) seizure of, destruction or wilful damage done to institutions dedicated to religion, charity and education, the arts and sciences, historic monuments and works of art and science;
  - (e) plunder of public or private property.
- **Broad basis of jurisdiction**!
War Crimes - ICTR Statute

- **Article 4, ICTR Statute, ‘Violations of Article 3 common to the Geneva Conventions and of Additional Protocol II’**.
- The ICTR shall have the power to prosecute **persons** committing or ordering to be committed **serious violations** of **Common Article 3** to the 1949 GCs, **and of Additional Protocol II** 1977. These violations shall include, but shall not be limited to:
  - a) Violence to life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment;
  - b) Collective punishments;
  - c) Taking of hostages;
  - d) Acts of terrorism;
  - e) Outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault;
  - f) Pillage;
  - g) The passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court, affording all the judicial guarantees which are recognised as indispensable by civilised peoples;
  - h) Threats to commit any of the foregoing acts.
War Crimes at the ICC

- Article 8 of the Statute of the International Criminal Court (ICC):

  - **IAC:**
    1) List of grave breaches of the Geneva Conventions;
  2) details some **twenty-six serious violations of the laws and customs of war**, most of which have been considered by States as crimes since World War II.

- **NIAC:**
  1) **serious violations of Article 3, common to the four Geneva Conventions.**
  2) details some **fifteen serious violations of the laws and customs of war**, most of which have been considered by States as crimes since World War II.

- **Detailed codification of offences** which largely takes into account the development of the IHL.

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Article 8 (2) (b) (i)
War Crime of Attacking Civilians

- ICC, Elements of Crimes:
  1. The perpetrator directed an attack.
  2. The **object** of the attack **was a civilian population as such or individual civilians not taking direct part in hostilities**.
  3. The perpetrator **intended** the civilian population as such or individual civilians **not taking direct part in hostilities** to be the **object of the attack**.
  4. The conduct took place **in the context of and was associated with an international armed conflict**.
  5. The perpetrator was **aware of factual circumstances that established the existence of an armed conflict**.
ICC, Elements of Crimes:

1. The perpetrator killed one or more persons.
2. Such person or persons were either *hors de combat*, *or were civilians, medical personnel, or religious personnel* taking no active part in the hostilities.
3. The perpetrator was aware of the factual circumstances that established this status.
4. The conduct took place in the context of and was associated with an *armed conflict not of an international character*.
5. The perpetrator was aware of factual circumstances that established the existence of an armed conflict.
In order to prove the guilt of a person accused of war crimes the Prosecution needs to prove the following three elements:

The existence of an armed conflict:

- An armed conflict exists whenever there is a resort to armed force between States or protracted armed violence between governmental authorities and organised armed groups or between such groups within a State, ICTY, Tadić case);

The targeting of protected persons or property;

The nexus between the crime and the armed conflict.

Naletilic case (IT-98-34) information sheet:
Nexus between Acts of the Accused and Armed Conflict

1. Status of the perpetrator (as soldier or combatant);
2. Status of the victim or victims (as combatants or civilians);
3. The circumstances in which the crime/s were committed;
4. The fact that the crime/s are committed in the context of an on-going campaign to achieve particular military goals;
5. Crime coincides with the ultimate purpose of the military campaign;
6. Crimes committed with the assistance or connivance of the parties to the armed conflict.

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Prosecution of War Crimes: Reflections

- The existence of IHL and ICL does not necessarily mean that suspected war criminals will actually be prosecuted.
- Investigation and prosecution remains a matter for States, and, for international criminal courts and tribunals (especially the ICC as a permanent court).
- The Geneva Conventions require all parties to search for and either extradite or try all persons suspected of having committed grave breaches.
- And international law gives all States the legal right to prosecute war criminals under the doctrine of universal jurisdiction.
Concluding Remarks:
Individual Criminal Responsibility

- War crimes are serious violations of the laws of war—or international humanitarian law (IHL)—which trigger individual criminal responsibility.

- **Categories:** War crimes against persons requiring particular protection; War crimes against property and other rights; Prohibited methods of warfare; Prohibited means of warfare; Crimes against humanitarian assistance and peacekeeping operations.

- Nexus with an armed conflict (IAC or NIAC).
- IAC: system of grave breaches (GCs and AP I).
- NIAC: Common Article 3 to the Geneva Conventions.
- IAC-NIAC: Violations of laws and customs of war.
State Responsibility for War Crimes

THE DEVELOPMENT OF THE LAW OF STATE RESPONSIBILITY FOR WAR CRIMES BY THE INTERNATIONAL COURT OF JUSTICE

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State Responsibility for War Crimes

- **States are responsible for serious violations of IHL** (GCs: Arts. 51, 52, 131, 148; AP I, Art. 91):
  - A Party to the conflict which violates the provisions of the Conventions or of this Protocol shall, if the case demands, be liable to pay compensation. It shall be responsible for all acts committed by persons forming part of its armed forces.

- **2001 Articles on State Responsibility for Internationally Wrongful Acts**, ILC.

- **Attribution**: The general rule is that the only conduct attributed to the State at the international level is that of its organs of government, or of others who have acted under the direction, instigation or control of those organs, i.e. as agents of the State (ILC).
The ICJ and State Responsibility

- Whether or not States accept ICJ’s jurisdiction, they remain in any event responsible for acts attributable to them that violate international law, including international humanitarian law and human rights!

**Relevant cases:**

- *Legality of the Threat or Use of Nuclear Weapons*, ICJ Reports 1996.
- *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territories*, ICJ Reports 2004.
- *Jurisdictional Immunities of the State (Germany v. Italy)*, Judgment of 3 February 2012.
Nicaragua Case (1)

- Application of common Article 3 to the GCs to conduct of States (ICJ Reps, 1986):

  - There is no doubt that, in the event of international armed conflicts, these rules also constitute a minimum yardstick, in addition to the more elaborate rules which are also to apply to international conflicts;

  - …and they are rules which, in the Court’s opinion, reflect what the Court in 1949 called ‘elementary considerations of humanity’.
Nicaragua Case (2)

- **Obligations arising out of Article 1 of the GCs:**

- Obligation …to ‘respect’ the Conventions and even ‘to ensure respect’ for them ‘in all circumstances’, since such an obligation does not derive only from the Conventions themselves, but from the general principles of humanitarian law to which the Conventions merely give specific expression.

- In re to the CIA manual ‘Psychological Operations in Guerrilla Warfare’ (Operaciones sicológicas en guerra de guerrillas).
Nicaragua Case (3)

- **Provision of humanitarian assistance:**

- If the provision of “humanitarian assistance” is to escape condemnation as intervention in the internal affairs of Nicaragua, not only must it be **limited to the purposes hallowed in the practice of the Red Cross**, namely “to prevent and alleviate human suffering”, and “to protect life and health and to ensure respect for the human being”; it must also, and **above all**, be given without discrimination to all in need.
Nuclear Weapons Advisory Opinion (1996)
Nuclear Weapons (1)

- Nuclear weapons and Environmental Law treaties:
- States must take environmental considerations into account when assessing what is necessary and proportionate in the pursuit of legitimate military objectives.
- Respect for the environment is one of the elements that go to assessing whether an action is in conformity with the principles of necessity and proportionality.

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Nuclear Weapons (2)

- **Application of the law of armed conflict to means of armed conflict:**
- Nuclear weapons were invented after most of the principles and rules of humanitarian law applicable in armed conflicts had already come into existence.
- Established *principles and rules of IHL applicable in armed conflict apply to nuclear weapons.*
- To hold otherwise would be incompatible with the *intrinsically humanitarian character of the legal principles* in question which *permeates the entire law of armed conflict and applies to all forms of warfare and to all kinds of weapons, those of the past, those of the present and those of the future.* (par. 86)
Clarification of some fundamental principles of humanitarian law:

1) The principle of distinction between civilians and combatants (a cornerstone of IHL);

2) Prohibition of the use of weapons that cause superfluous injury or unnecessary suffering;

3) The principle of humanity/ the Martens Clause, (which is not only a piety clause, but lays down restrictions on the conduct of hostilities).
Wall Advisory Opinion, 2004, (1)
The Wall Case (2)

- **Applicable law (pars. 124-126):**
- **Section III of the** Regulations annexed to the Fourth Hague Convention of 1907 (Section III of the Hague Regulations includes Articles 43, 46 and 52, which are applicable in the OPT.
  - Article 43 imposes a duty on the occupant to “take all measures within his power to restore, and, as far as possible, to insure public order and life, respecting the laws in force in the country”.
  - Article 46 adds that private property must be “respected” and that it cannot “be confiscated”.
  - Lastly, Article 52 authorizes, within certain limits, requisitions in kind and services for the needs of the army of occupation.)
- **Fourth Geneva Convention of 1949 on the Protection of Civilians** (Articles 47 (Inviolability of rights); 49 (Deportations, transfers, evacuations); 52 (Protection of workers); 53 (Prohibited destruction) and 59 (Collective relief);
  - *Demographic changes in the Occupied Palestinian Territory* (Art. 49(6), of GC IV prohibits deporting or transferring of population in the OPT);
  - *Destruction and requisition of properties* (Article 53 of GC IV).
The Wall Case (3)

- The construction of the wall and its associated régime cannot be justified by military exigencies or by the requirements of national security or public order.
- **Obligations for Israel** (paras. 149-153; dispositif para. 163):
  - Cease forthwith the construction of the wall and dismantle the structures built within the OPT;
  - Repeal or render ineffective all legislative and regulatory acts adopted in relation to the construction of the wall, and to the establishment of its associated régime.
  - Make reparations for the damage caused to all the natural or legal persons concerned.
- **Obligations for Palestine** (para. 162):
  - Scrupulously to observe the rules of IHL, one of the paramount purposes of which is to protect civilian life.
Obligations for all States (para. 159; dispositif para. 163):
- Not to recognize the illegal situation resulting from the construction of the wall;
- Not to render aid or assistance in maintaining the situation created by such construction;
- All States parties to GC IV have in addition the obligation, while respecting the United Nations Charter and international law, to ensure compliance by Israel with IHL as embodied in that Convention.

Obligation for the UN (para. 160; dispositif para. 163):
- The United Nations, and especially the General Assembly and the Security Council, should consider what further action is required to bring to an end the illegal situation resulting from the construction of the wall and the associated régime.
Concluding Remarks: State Responsibility for War Crimes

- IHL obligations for States (treaty and customary law):
  - Disseminate IHL instruments as widely as possible (to military and civilian authorities, as well as the civilian population);
  - Criminalize, investigate and prosecute alleged perpetrators of grave breaches;
  - Cooperate with other States and the UN in prosecuting grave breaches.

- IHL obligations for States (ICJ case law):
  - Common Art. 3 as a minimum yardstick for both IAC and NIAC;
  - Comply with the principle of distinction; the prohibition of the use of weapons that cause superfluous injury or unnecessary suffering; the principle of humanity/Martens Clause.
  - Obligation to respect and ensure respect (Common Art. 1 to the GCs, AP I);
    - Not to recognize an illegal situation;
    - Not to render aid or assistance in maintaining an illegal situation;
    - Not to encourage the commission of acts contrary to general principles of IHL.
  - Make reparations for violations of IHL.

- IHL obligations for international organizations (UN) – contribute to solving long-standing conflicts.

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Separate existence of individual criminal responsibility and State responsibility as a constant feature of international law.

Elements of common plan or policy requirement for the crime of genocide and State or organizational policy for crimes against humanity show the inherent link between individual criminal responsibility and State responsibility?

Gravity and the collective dimension of the criminal acts?

Crime of aggression, necessary to have first a finding on State responsibility, before prosecuting an individual for that crime?
Concluding Remarks (1)

- Individual criminal responsibility for war crimes well-established under international law;
- Different modes of individual criminal responsibility;
- The enforcement of this principle is in the hands of many international criminal courts and tribunals, as well as domestic courts;
- Drive from impunity to accountability – recent problems with regard to the administration of international criminal justice;
- Protection of individuals under IHL is potentially brought to a higher level!
Drawing analogies between individual criminal responsibility (and that of legal persons) in municipal law and a State’s international responsibility for a ‘crime’ (or for the violation of certain international obligations) leads to a number of theoretical and practical difficulties;

Need to adjust and rethink some of the tenets concerning consequences attached to State responsibility and their nature;

Moving from concurrence to convergence between State responsibility and individual criminal responsibility?

Extending ‘criminal responsibility’ to States as a way of emphasizing the abhorrent nature of mass atrocities and encouraging responsible behaviour on the part of States (strengthening the international rule of law?)?
Relevant Literature