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International Criminal Justice Series

Rechtswissenschaft : Internationales Strafrecht

Atadjanov, Rustam, University of Hamburg, Hamburg, Germany

Humanness as a Protected Legal Interest of Crimes Against Humanity

Conceptual and Normative Aspects

- Proposes solutions to existing problems regarding the analysis and structure of crimes against humanity by clarifying their protective scope
- Discusses both theoretical and practical aspects of the central issue and puts forward a new comprehensive theory of crimes against humanity which answers concrete and normative questions
- Provides new insights into unresolved legal or philosophical issues related to the concept of humanity in international criminal law
- Provides the first-ever comparative analysis of the protective scopes of crimes against humanity and other core crimes under international law
- Represents a new holistic, systematised as well as inter-disciplin

Central to this book is the concept of humanity in international law. It traces the evolution of that concept within international law, studies the existing theories of crimes against humanity, and lays out its own theory based on an inclusive view of "humanity". Crimes against humanity are core crimes under international law; their modern definition is found in the Rome Statute. However, their protective scope remains unclear, with the exact meaning of "humanity" left undefined in law. The proposed theory argues that "humanity" should be understood as "humanness" and crimes against humanity should be criminalised because humanness constitutes these crimes' valid protected interest. This volume in the International Criminal Justice Series offers an analysis of the German doctrine of Rechtsgut to justify the penalization of crimes against humanity at both domestic and international levels. This is the first monograph on crimes against humanity written by an author from the Commonwealth of Independent States (CIS) aimed at an international audience, and should constitute a useful tool for academics, students and practitioners of international law.

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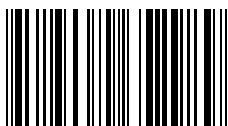
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