



# Unimaginable Atrocities: Justice, Politics, and Rights at the War Crimes Tribunals

By William Schabas

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As international criminal courts and tribunals have proliferated and international criminal law is increasingly seen as a key tool for bringing the world's worst perpetrators to account, the controversies surrounding the international trials of war criminals have grown. War crimes tribunals have to deal with accusations of victors' justice, bad prosecutorial policy and case management, and of jeopardizing fragile peace in post-conflict situations. In this exceptional book, one of the leading writers in the field of international criminal law explores these controversial issues in a manner that is accessible both to lawyers and to general readers.

Professor William Schabas begins by considering the discipline of international criminal law, outlining the differing approaches to the description of international crimes and examining the frequent claims relating to the retroactive application of these crimes. The book then discusses the relationship between genocide and crimes against humanity, studying the fascination with what Schabas calls the 'genocide mystique'. International criminal tribunals have often been stigmatized as an exercise in victors' justice. This book traces how this critique developed and the difficulty it poses to the identification of situations for prosecution by the International Criminal Court. The claim that amnesty for international crimes is prohibited by international law is challenged, with a more nuanced approach to the relationship between justice and peace being proposed. Throughout the book there is a strong historical perspective, with constant reference to the early experiments in international justice at Nuremberg and Tokyo. The work also analyses the growing pains of the International Criminal Court as it enters its second decade.

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### Editorial Review

#### Review

'In Unimaginable Atrocities, Schabas has produced perhaps his greatest work in a prodigious collection of extraordinary contributions to the field... Schabas has long contributed to the development of effective world law. He has taken on the task and made it his own, standing shoulder to shoulder with the likes of Cherif Bassiouni, Antonio Cassese, Hans Corell, Michael Scharf and David Scheffer. His text is plainly intended to appeal to and inform, not only academics, but also those with less direct expertise in the field. This is not to suggest that it is somehow written at an introductory level, or that it can be passed over by those more familiar with the issues addressed in the book. Rather, it seeks to expand the audience, educating those interested in creating a safer and more tolerant world on key components within the field of international criminal law, while providing substantive arguments for discussion among academic circles.'

Matthew Kane, *International Affairs* 89

'Insightfully explain[s] the conceptual foundations and prospective paths for an international criminal judiciary. Schabas' book reveals once more that international criminal law is shaped by a complex relationship of policy and law, which unfortunately can only partly prevent war crimes while influencing how humanity confronts unimaginable atrocities.'

Martin Wahlisch, *ASIL Cables*

#### About the Author

William Schabas, *Professor of International Law, University of Middlesex*

Professor William A. Schabas is professor of international law at Middlesex University in London. He also has appointments at the National University of Ireland Galway, where he is professor of human rights law, at the Chinese Academy of Social Sciences, in Beijing, as honorary professor, Kellogg College of the University of Oxford, where he is a visiting fellow, and at the Universite du Quebec a Montreal, as professeur associe. Prof. Schabas practices from the chambers of 9 Bedford Row, in London.

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