

Obstruction of Justice at the International Criminal Court.

A Comparison with the United States, Germany and the International Criminal Tribunal for the Former Yugoslavia.

Criminal proceedings are at constant risk of being disrupted, be it by witness interference, false testimonies or other forms of obstruction of justice. National legal systems extensively penalize such obstructive acts in order to protect their criminal trials, and even US Presidents could face consequences for obstruction of justice, as was exemplified by Richard Nixon and Donald Trump. The problem of obstruction of justice is particularly acute in international criminal trials, many of which are affected by witness interference and other obstructive acts. Yet the penalization of obstruction of international criminal justice is hardly an issue in practice or in the academic world. This study analyses the criminal law on obstruction of justice at the International Criminal Court and compares it with the respective legal regimes of Germany, the United States federal system, and the International Criminal Tribunal for the former Yugoslavia. Does the obstruction law of the International Criminal Court protect its proceedings in equal measure?



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