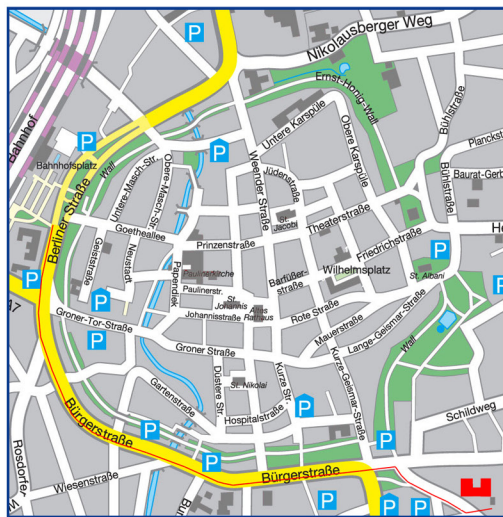


The increasing practical importance of decentralized and supranational prosecutions of international crimes makes a more principled system of imputation (attribution) of macrocriminal conduct more necessary than ever. While such a system may borrow its main elements and structures from domestic criminal law it must develop into an autonomous sui generis system duly taking into account the particularities of macrocriminal as compared to ordinary criminal conduct. But what are these “particularities” from an empirical and theoretical perspective? And how do they play out in imputation as generally understood in criminal law theory? And how do they influence fundamental questions of imputation such as problems of causation, the forms of participation and subjective imputation? These are but a few, perhaps the “big” questions of a theory of imputation in international criminal law (ICL) which still needs to be developed. This international workshop does not pretend to give definitive answer to these questions. It shall just bring some leading German- and English-speaking scholars together for a kind of brainstorming exercise which may produce some ideas for a bigger, more inclusive project on the topic. Apart from the first introductory presentation the others will work “in tandem” bringing together scholars from different legal backgrounds hoping for a fruitful dialectical exchange (20 min each speaker for main arguments, 10 min each reply, discussion with audience)



Tagungsort:

Lichtenberg-Kolleg
 Historische Sternwarte der Universität Göttingen
 Geismar Landstraße 11
 37083 Göttingen
 - Grüner Saal -



Georg - August - Universität - Göttingen
 Institute for Criminal Law and Criminal Justice
 Department for Foreign and International Criminal Law



Zurechnung makrokrimineller Verhaltensweisen

empirische, theoretische und rechtsvergleichende Aspekte

Imputation of macrocriminal conduct

empirical, theoretical and comparative aspects

5th July 2013



Kriminalwissenschaftliches Kolloquium

Zurechnung makrokrimineller Verhaltensweisen

- empirische, theoretische und rechtsvergleichende Aspekte -

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Programme

11:00 Einführung / Introduction

(Prof. Ambos, Göttingen)

11:20 Setting the scene: Besonderheiten von Makrokriminalität gegenüber "normaler" Kriminalität - kriminologische Erkenntnisse / Particularities of macrocriminality as compared to ordinary criminality – criminological insights

(Dr. Harrendorf, Göttingen)

State of the art in criminological research since Herbert Jäger's seminal monograph on "Makrokriminalität" and follow up works by Osiel, Drumbl, Smeulers et al.

12:00 Zurechnungsprobleme / Problems of Imputation – a German and English perspective

(Profs. Weigend, Köln and Cryer, Birmingham, UK)

Overview over classical problems of imputation and theories from a domestic perspective and how they play out in ICL.

13:20 Coffee Break with snacks

13:50 Kausalitätsprobleme / Problems of Causation/Overdetermination - a German and Canadian perspective

(Profs. Murmann, Göttingen and Stewart, Vancouver, Canada)

Overview over classical problems of causation and theories from a domestic perspective and their relevance in ICL cases.

15:10 Beteiligungsprobleme: Einheitstäter, Differenzierungsmodell oder etwas anderes? / Problems of Participation: unitarian, differentiated approach or something else?

(Profs. Vest, Bern and Chiesa, SUNY Buffalo Law School, New York)

Can domestic models of participation be transferred to ICL? Or do we need a completely new, sui generis ICL approach?

16:30 Coffee Break

16:45 Subjektive Zurechnung / Subjective Imputation (mens rea)

(Profs. Stuckenberg, Bonn and Ohlin, Cornell, Ithaca)

Overview over classical problems of subjective imputation from a comparative perspective and how they play out in ICL

18:05 Comments/summary from a comparative and ICL perspective

(Prof. Van Sliedregt, Amsterdam)

19:30 Speakers' Dinner