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Introduction. As was shown in chapter 4, selectivity *ratione personae* is a critique that can be (and often has been) levelled at international criminal law. However, this is not to say that States never chose to prosecute their own nationals. With the turn to prosecution that occurred in the 1990s, of which the promulgation of the Rome Statute for the International Criminal Court in 1988 was both cause and effect, selectivity in the sense it was dealt with in chapter 4, appears to be ...

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The modern regime of prosecution of international crimes is evaluated with regard to international relations theory. The book then subjects that regime to a critique on the basis of legitimacy and the rule of law, in particular selective enforcement, not only in relation to who is prosecuted, but also to the definitions of crimes and principles of liability used when people are prosecuted.

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