

Summary of the Doctoral Dissertation
The Status of a Crime Victim in International Criminal Law

The doctoral dissertation addresses the problem of the position of a crime victim in international criminal law. Its main purpose is to determine whether the system of international criminal law has become more victim-oriented over the last 75 years of its development and – if so – to explain the origins and specific manifestations of this change.

Apart from an introduction and conclusions, the dissertation consists of seven chapters devoted to specific research questions. The first chapter is introductory. It is here that the terms used in the dissertation for the determination of individuals who have been harmed by acts amounting to international crimes (e.g. victim, participating victim, survivor, passive subject, beneficiary) are clarified. The theory of scapegoating is also discussed. After reviewing the definitions of victims at national and international levels, as well as determining who can acquire the status of a participating victim in proceedings before the International Criminal Court (i.e. natural and legal persons), the problem of perceiving animals as potential victims of international crimes is raised. Chapter I also features remarks on the so-called indicators of victimisation (harm, legal good, right). Finally, it examines the relationship between the position of a crime victim in international criminal law and legal personhood in international law.

Chapter II identifies various passive subjects of four international crimes, i.e. the crime of genocide, crimes against humanity, war crimes and the crime of aggression. Moreover, it examines the case of child soldiers in the light of victimological reflections on the concept of an ‘ideal victim’. At the end of the chapter, the phenomenon of denialism is analysed.

Chapter III deals with the relationship between the status of a crime victim and the general part of international criminal law, which covers issues such as the concurrence of crimes and provisions, the principle of fair labeling, forms of victimisation, and circumstances excluding criminal responsibility.

Chapters IV and V, based on the catalogue of victim’s procedural roles (victim as *telos*, victim as a witness, victim as a participating victim, victim as a plaintiff, victim as a private prosecutor), show the differences in the procedural position assigned to victims before five international criminal tribunals examined in the dissertation.

In the last two chapters, which again deal with substantive law aspects, the nexus between victimhood and punitive justice as well as reparative justice is defined. Chapter

VI identifies functions of victimhood as an element of punishment. Moreover, it contains an analysis of the philosophy of punishment in international criminal law, showing the presence of a crime victim in currents justifying international punitive justice. Chapter VII presents in turn various components of the International Criminal Court's reparation regime and examines the mandate and activities of the Trust Fund for Victims.

The conducted research has positively verified the hypothesis that over the past seventy-five years there has been a gradual strengthening of the position and presence of a crime victim in international criminal law. This change has become particularly evident in procedural regulations and the general axiological stance of international criminal law at the third stage of its development (International Criminal Court).

Keywords: victim, international criminal law, International Criminal Court, reparations, legal status