

RELEVANCY OF INTERNATIONAL COURT OF CRIMINAL JUSTICE

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ABSTRACT

Relevancy of the International Criminal Court (ICC) has been questioned on multiple occasions due to the failure of Court in performing its duties, and other flaws in the concept to the Institution. ICC lacks the authority and deference albeit it gets recognition of the world. What might be the reasons for that?

Keywords: International Criminal Court, Relevancy.

INTRODUCTION

Relevancy of the ICC cannot be determined in isolation to a single factor. There are several other factors responsible for determination of its relevancy. ICC requires assistance and cooperation from State as well as Non-State member in order to comply with the Rome Statute. ICC further requires use of “Organized Force” in the form of Police or Military for compelling attendance of the alleged convicts.[1]

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On 11 April 2002, 10 countries ratified the Rome Statute, United Nations treaty which marked the inception of International Criminal Court (ICC). The court has its central station at Hague, Netherlands. Following then, several countries have shown their interest in becoming a part of International community. During the conference in Rome, three basic grouping of state emerged. First group led by Canada & Norway, “likeminded groups”. Secondly, group of Permanent members of United Nations Security Council, with the exception of Britain in the beginning which was later on removed. This group had various concerns regarding such establishment. According to the United States, the power given to the prosecutor to initiate impromptu proceedings was

arbitrary. And finally a third group which consisted of the countries like India, Mexico and Egypt, this group had faith in furnishing complete autonomy to the Institution.[2]

During the final voting, International Criminal Court (ICC) was established with total 120 voted in favour to 7 against the establishment. US is one country which after signing the treaty, “unsigned” the same, when John Bolton, Under Secretary of the State for Arms control and International Security, sent a letter to the UN that the country did not intend to become a party to statute and formally renounced the membership. As of now, 123 countries are state parties to the Rome Statute of the International Criminal Court (ICC). Out of them 33 are African States, 19 are Asia-Pacific States, 18 are from Eastern Europe, 28 from Latin American and Caribbean States, and 25 are from Western Europe and other States.[3]

The role UNSC in functioning of the ICC has given the institution the robust stand it required, but has also become a medium of critique for the institution and has posed doubts over its integrity. ICC has become popular for much debated “Politicisation of the Matters” it is deals with.

CONCLUSION

All the Member states of United Nations should sign and ratify the Rome Statute so that there would be no concerns regarding the Court’s jurisdiction. An Individual State should not discriminate matter that relates to a crime committed in their “State” or by a “Citizen”, it should give the court full authority to try such matters. Last but not least the Court will requires some more time to establish itself and prove its relevancy.

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