

justice denied the reality of the international criminal court

Justice Denied: The Reality of the International Criminal Court

justice denied the reality of the international criminal court is a phrase that encapsulates the frustration and skepticism many hold regarding this global institution. Established with the noble aim of prosecuting the gravest crimes against humanity, the International Criminal Court (ICC) was envisioned as a beacon of hope for victims worldwide. Yet, decades into its existence, questions linger: Has the ICC truly delivered justice, or has it fallen short of its lofty promises? In this article, we explore the complex realities behind the ICC's operations, challenges, and the broader implications for international justice.

The Origins and Aspirations of the International Criminal Court

The ICC was created in 2002 under the Rome Statute to address crimes such as genocide, war crimes, crimes against humanity, and the crime of aggression. Unlike ad hoc tribunals, the ICC was designed as a permanent institution to hold individuals accountable, regardless of their rank or nationality. Its establishment marked a significant step forward in international law, symbolizing a collective commitment to end impunity for the most serious offenses.

However, the lofty ideals of the ICC often clash with political realities. The court's jurisdiction is limited to crimes committed in member states or situations referred by the United Nations Security Council, which can lead to accusations of selective justice. This selective reach plays a large role in the ongoing debate about justice denied and the real effectiveness of the ICC.

Justice Denied: The Reality of the International Criminal Court's Limitations

While the ICC has succeeded in prosecuting some high-profile cases, it has faced numerous hurdles that complicate its mission. Understanding these challenges sheds light on why many perceive justice as being denied rather than delivered.

Political Interference and Selective Prosecution

One of the most persistent criticisms of the ICC is that it often appears to target African nations disproportionately, leading to accusations of neo-colonial bias. Many African leaders argue that the court's focus on their countries ignores crimes committed elsewhere, undermining the ICC's credibility as an impartial arbiter of justice.

Moreover, powerful countries such as the United States, China, and Russia have not ratified the Rome Statute, limiting the court's ability to investigate crimes involving their nationals or territories. This political dynamic hampers the ICC's global reach and creates an uneven playing field where some perpetrators evade accountability.

Challenges in Enforcement and Cooperation

Unlike national courts, the ICC lacks its own police force and depends entirely on member states to arrest suspects and gather evidence. This reliance on state cooperation often results in delays or failures to detain accused individuals, undermining the court's effectiveness.

For example, some indicted leaders have remained in power or in hiding for years without facing trial. When states refuse to cooperate, the ICC's pursuit of justice is severely compromised, leaving victims without closure and reinforcing the perception of justice denied.

The Complexities of Proving Guilt in International Crimes

International criminal law is notoriously complex. Proving guilt beyond reasonable doubt for crimes such as genocide or crimes against humanity requires meticulous investigation, credible witness testimonies, and substantial evidence often difficult to obtain in conflict zones.

These challenges contribute to lengthy trials and occasional acquittals, which can frustrate victims and observers alike. The painstaking nature of international justice means that even well-intentioned efforts can seem slow or ineffective, feeding into narratives that the ICC is failing to deliver justice.

Broader Implications: Why Justice Denied Matters Globally

The perceived shortcomings of the ICC have ripple effects that extend beyond legal circles. When justice is seen as denied, it undermines the rule of law and the deterrence of future atrocities.

Impact on Victims and Communities

For victims of mass atrocities, the ICC represents hope for recognition and accountability. When cases drag on or suspects evade trial, victims' trauma can be compounded by a sense of abandonment. This lack of timely justice can hinder healing and reconciliation processes within affected communities.

Undermining International Law and Human Rights

The ICC's struggles also reflect broader tensions in enforcing international law. When powerful states

resist accountability or shield their allies, it weakens global norms and emboldens perpetrators of serious crimes. The gap between aspirations and reality in international justice risks eroding faith in human rights protections worldwide.

The Role of Media and Public Perception

Media coverage plays a critical role in shaping how the ICC is viewed. Sensationalized reporting of failures or accusations of bias often overshadows the court's successes. This skewed perception contributes to skepticism and can affect political will to support the ICC's work.

Paths Forward: Enhancing the ICC's Effectiveness and Credibility

Despite the challenges, the ICC remains a vital institution in the fight against impunity. There are several ways in which the court and the international community can work to address the issues causing justice denied.

Strengthening State Cooperation

Increasing political support and cooperation from member states is essential. Diplomatic efforts to encourage compliance, along with incentives for cooperation, could improve the court's ability to carry out arrests and investigations.

Expanding Universal Jurisdiction

Broadening the ICC's jurisdiction or encouraging non-member states to join the Rome Statute would reduce safe havens for perpetrators. Greater universality would also address concerns about selective prosecution and reinforce global accountability.

Improving Transparency and Communication

Enhancing transparency in proceedings and better communicating the court's challenges and achievements may improve public trust. Engaging more with victims and affected communities can also reinforce the ICC's legitimacy and relevance.

Investing in Capacity Building

Supporting national judicial systems to prosecute international crimes domestically can complement the ICC's work. Capacity building in conflict zones and fragile states helps create a stronger

framework for justice and reduces the court's burden.

Reflecting on Justice Denied and the Future of International Justice

The reality of the International Criminal Court is a nuanced story of both hope and frustration. While justice denied remains a significant concern, the court's existence itself is a testament to humanity's commitment to confronting impunity. Progress may be slow and imperfect, but the ongoing dialogue and reform efforts offer a pathway toward a more effective and equitable system of international justice.

In the end, understanding the challenges the ICC faces helps us appreciate the complexity of delivering justice on a global scale. It also reminds us that justice is not merely about legal verdicts but about the broader pursuit of dignity, accountability, and peace for all.

Frequently Asked Questions

What are the main criticisms of the International Criminal Court (ICC) regarding justice delivery?

The ICC faces criticism for being slow, expensive, and sometimes biased, particularly accused of disproportionately targeting African nations while neglecting crimes in other regions.

How does the issue of state cooperation affect the ICC's ability to deliver justice?

The ICC relies heavily on state cooperation for arresting suspects and gathering evidence; lack of cooperation from certain states often hinders investigations and prosecutions, leading to delays and cases being dropped.

Why do some argue that justice is denied through the ICC's selective prosecution?

Critics argue that the ICC selectively prosecutes cases based on political considerations, focusing on weaker states and ignoring crimes committed by powerful countries or their allies, which undermines the court's impartiality and legitimacy.

In what ways has the ICC struggled with enforcing its rulings?

The ICC lacks its own enforcement mechanism and depends on member states to implement arrest warrants and sentences, resulting in many suspects remaining at large and victims being denied timely justice.

How do resource limitations impact the effectiveness of the ICC?

Limited funding and resources constrain the ICC's capacity to investigate and prosecute cases thoroughly and promptly, leading to prolonged trials and sometimes incomplete justice for victims.

What reforms have been proposed to address the reality of justice being denied by the ICC?

Proposals include increasing state cooperation, expanding the ICC's jurisdiction, improving funding, enhancing transparency, and addressing accusations of bias to make the court more effective and equitable in delivering international justice.

Additional Resources

Justice Denied: The Reality of the International Criminal Court

justice denied the reality of the international criminal court is a phrase that echoes through the corridors of international law and human rights advocacy. Established with the noble aim of prosecuting the gravest offenses against humanity—war crimes, genocide, crimes against humanity, and aggression—the International Criminal Court (ICC) has often been lauded as a beacon of global justice. Yet, beneath this veneer lies a complex and often controversial institution whose effectiveness, fairness, and impartiality continue to be questioned. This article delves into the multifaceted reality of the ICC, unpacking the challenges that have led to perceptions of justice denied.

The Birth and Mandate of the International Criminal Court

The ICC was founded in 2002 as the first permanent international tribunal tasked with holding individuals accountable for the most heinous international crimes. Unlike ad hoc tribunals, such as those for Rwanda or the former Yugoslavia, the ICC's jurisdiction is universal, provided states ratify the Rome Statute. Its creation marked a watershed moment in international criminal law, promising a mechanism to transcend national borders and political interference.

However, the court's lofty mandate is tempered by several limitations. The ICC operates based on the principle of complementarity, meaning it can only intervene when national jurisdictions are unwilling or unable to prosecute crimes. This principle, while respectful of state sovereignty, has also significantly curtailed the ICC's reach and effectiveness.

Challenges Undermining the ICC's Credibility

Selective Prosecution and Perceptions of Bias

One of the most persistent criticisms of the ICC is its perceived bias, particularly against African nations. Since its inception, the majority of investigations and prosecutions have focused on African states, raising accusations of neo-colonialism and double standards. While the court argues that this focus reflects the requests and referrals from African states themselves, critics emphasize the absence of high-profile investigations into alleged crimes committed by powerful Western countries or their allies.

This perception of selectivity undermines the court's legitimacy and fuels skepticism among member states and the global public. The ICC's inability to universally enforce justice has led to a narrative where justice is denied, especially for victims in regions outside Africa.

Political Interference and State Cooperation

The ICC's effectiveness heavily depends on state cooperation for arrests, evidence collection, and enforcement of warrants. Yet, many states, including some signatories of the Rome Statute, have been reluctant or outright refused to cooperate. Powerful non-member states such as the United States, Russia, China, and India have not ratified the Rome Statute, limiting the ICC's jurisdiction and ability to act impartially on a global scale.

Political considerations often influence whether governments support ICC interventions. For example, ongoing conflicts in Syria, Myanmar, and Yemen have seen limited ICC involvement due to geopolitical complexities and lack of cooperation. Consequently, perpetrators often operate with impunity, reinforcing the notion of justice denied on an international level.

Resource Constraints and Judicial Delays

The ICC faces significant resource limitations impacting its capacity to effectively investigate and prosecute cases. Complex international trials require extensive evidence gathering, witness protection, and legal expertise, all of which translate to high costs and long timelines. Many trials have dragged on for years, causing frustration among victims and observers.

These delays not only impede timely justice but also erode confidence in the court's ability to deliver outcomes. The slow pace of proceedings often contrasts sharply with the urgent needs of affected communities seeking accountability and closure.

Comparative Perspectives: ICC Versus National and Regional Mechanisms

While the ICC is a unique institution, it does not operate in isolation. Various national courts and regional bodies also contribute to international criminal justice. Examining these alternatives provides insight into the ICC's strengths and weaknesses.

National Courts and the Principle of Complementarity

National jurisdictions are the frontline actors in prosecuting international crimes. The ICC's complementarity framework encourages domestic courts to take responsibility. When national systems are robust and impartial, they can ensure swifter and more contextually relevant justice. However, in many conflict-affected and fragile states, judicial institutions are weak, corrupt, or compromised, necessitating international intervention.

Regional Courts and Hybrid Tribunals

Regional courts like the African Court on Human and Peoples' Rights and hybrid tribunals such as the Special Court for Sierra Leone provide localized platforms for accountability. These bodies often benefit from cultural and contextual familiarity and sometimes enjoy broader legitimacy within their regions.

Nevertheless, regional mechanisms might lack the scope, resources, or political independence required to tackle large-scale international crimes comprehensively. The ICC's global mandate is unmatched but also challenged by these localized institutions that compete for jurisdiction and influence.

Prospects for Reform and Enhanced Effectiveness

Addressing the reality of justice denied at the ICC requires systemic reforms and renewed commitment from the international community. Several proposals have surfaced to improve the court's performance, including:

- **Expanding Membership and Universal Jurisdiction:** Encouraging more states to ratify the Rome Statute could strengthen the court's global legitimacy and operational reach.
- **Enhancing State Cooperation:** Developing mechanisms to incentivize compliance, including diplomatic or economic measures, may improve cooperation in investigations and arrests.
- **Streamlining Judicial Processes:** Implementing procedural reforms to reduce trial length and costs could address delays and improve perceptions of efficacy.
- **Addressing Perceived Bias:** Ensuring a more geographically balanced docket and transparent case selection processes would mitigate accusations of selective justice.

The international community's political will remains the linchpin in realizing these reforms. Without robust support, the ICC risks further marginalization and the entrenchment of justice denied.

The Human Dimension: Victims and the Quest for Accountability

Beyond legal and political debates, the ICC's ultimate test lies in serving victims of international crimes. The court's victims' participation program and reparations mandate represent important steps toward restorative justice. However, many victims express frustration over the slow pace of proceedings and the limited tangible benefits received.

In regions scarred by conflict, the ICC's symbolic role as a deterrent often falls short against the reality of ongoing violence and impunity. Bridging the gap between legal justice and community healing remains a critical challenge.

Justice denied the reality of the international criminal court is not merely an institutional issue; it reflects broader tensions in the global order between sovereignty, geopolitics, and human rights. While the ICC embodies the aspiration for a world where perpetrators are held accountable regardless of power or position, its journey reveals that achieving this ideal is fraught with obstacles. The ongoing dialogue surrounding the ICC's role underscores the complexity of international justice in a fragmented and politically charged international system.

Justice Denied The Reality Of The International Criminal Court

justice denied the reality of the international criminal court: Justice Denied David Hoile, 2014-07 The pursuit of justice is one of mankind's most noble instincts. The International Criminal Court was embraced with enthusiasm when it was founded on 1 July 2002. Despite an auspicious start, the ICC has become one of the nastier manifestations of globalisation with an exclusive focus on Africa.

justice denied the reality of the international criminal court: The Failure of the International Criminal Court in Africa Everisto Benyera, 2022-05-18 This book investigates the relationship between the International Criminal Court and Africa (the ICC or the Court), asking why and how the international criminal justice system has so far largely failed the victims of atrocities in Africa. The book explores how the Court degenerated from a very promising multilateral institution to being an instrumentalised, politicised, weaponised institution that ended up with the victims being the greatest losers. Instead of looking at the International Criminal Court as a recent alternative to a prevailing international criminal justice paradigm, this book argues that the Court is a manifestation of the same world order that was established by the Reconquista in 1492. Written from a decolonial perspective, the book particularly draws on evidence from Zimbabwe in order to demonstrate how the International Criminal Court is failing the victims of the four crimes that fall under its jurisdiction. Drawing on the perspectives of victims in particular, this book highlights the damage caused within Africa by the international criminal justice system and argues for a decolonial conception of justice. The book will be of interest to researchers from across African politics, international relations, law and criminal justice.

justice denied the reality of the international criminal court: International Criminal Law—A Counter-Hegemonic Project? Florian Jeßberger, Leonie Steinl, Kalika Mehta, 2022-11-25 This book enquires into the counter-hegemonic capacity of international criminal justice. It highlights perspectives and themes that have thus far often been neglected in the scholarship on

(critical approaches to) international criminal justice. Can international criminal justice be viewed as a 'counter-hegemonic' project? And if so, under what conditions? In response to these questions, scholars and practitioners from the Global South and North reflect inter alia on the engagement with international criminal justice in the context of Ukraine, Palestine, and minorities in South-Asia while also highlighting the hegemonic tendencies built into the institutional structure of the International Criminal Court on the axes of gender and language. Florian Jeßberger is Professor of Criminal Law and Director of the Franz von Liszt Institute for International Criminal Justice, Humboldt-Universität zu Berlin, Germany. Leonie Steinl is a Senior Lecturer in Criminal Law at Humboldt-Universität zu Berlin, Germany. Kalika Mehta is an Associate Researcher at the Franz von Liszt Institute for International Criminal Justice, Humboldt-Universität zu Berlin, Germany.

justice denied the reality of the international criminal court: Laurent Gbagbo's Trial and the Indictment of the International Criminal Court Gnaka Lagoké, 2023-02-14 The International Criminal Court (ICC), created in 2002 to combat impunity, projects a sense of unfairness and stirs an unending debate. A trial before the court epitomizes the controversy surrounding it, perceived as a neocolonialist tool in the hands of the most powerful nations. This research critically examines the trial of the former president of Ivory Coast, Laurent Gbagbo. The two-decade crisis in Ivory Coast was a series of armed, diplomatic, and political conflicts in which human rights were violated by all sides. Military confrontation resumed as a result of an electoral stalemate that followed a controversial presidential election in the fall of 2010. The most atrocious human rights abuse was perpetrated at the end of March 2011 by the rebel forces backed by the French and the United Nations troops: the massacre of Duékoué. In one day, hundreds of Laurent Gbagbo's followers were killed. However, the ICC undertook a selective prosecution against Gbagbo's camp. After a trial of eight years, Laurent Gbagbo was finally acquitted. The news of his unanticipated acquittal shocked the world. Later, that decision was overturned and transformed into freedom with binding and coercive conditions by the Appeals Chamber, which had succumbed to political pressure. The former president of Ivory Coast spent months of confinement in Belgium until the Appeals Chamber rebutted the prosecutor's appeal against his release and confirmed his total acquittal and that of Blé Goudé. He eventually went back to Ivory Coast on June 17, 2021. The trial of Laurent Gbagbo before the ICC, despite his acquittal (a tardy one), reflects a series of biases germane to international law and international justice, such as the victor's justice stance, the conflict between national law and international law, the question of sovereignty, and the issue of lawfare. The trial of Laurent Gbagbo, which was the hallmark of the selective international justice system embedded in unfairness, led to a historical landmark with his shocking acquittal, which led to the indictment of the International Court, whose fate has thus been sealed before history.

justice denied the reality of the international criminal court: *Race, Culture and Mental Illness in the International Criminal Court's Ongwen Judgment: Biases and Blindspots* Beth S. Lyons, 2024-12-18 Dominic Ongwen was abducted in 1987 when he was 8 or 9 years old by the Lord's Resistance Army ('LRA') in Northern Uganda and trafficked as a child soldier; he made multiple unsuccessful attempts to escape, and finally succeeded in late 2014. He turned himself into the International Criminal Court in 2015 and was prosecuted. Mr. Ongwen's defence was that he was not responsible for the crimes of the LRA, based on his mental illnesses and duress, stemming from his abduction and subsequent coercion and indoctrination under Joseph Kony within the LRA. In February 2021, the ICC's Trial Chamber IX convicted Dominic Ongwen of 61 charges and two modes of liability and he was sentenced to 25 years incarceration. This work critiques the judicial racial and cultural biases and blindspots in the Ongwen Judgment rendered by the ICC, as related to the affirmative defences of mental disease or defect and duress and to sentencing, from the perspective of the author who served as a defence counsel in the case.

justice denied the reality of the international criminal court: Individual Criminal Responsibility for Autonomous Weapons Systems in International Criminal Law Barry de Vries, 2023-02-27 In this book Barry de Vries addresses the issue of autonomous weapons in international criminal law. The development of autonomous weapon systems is progressing. While

the technology advances, attempts to regulate these weapons are not keeping pace. It is therefore likely that these weapons will be developed before a new legal framework is established. Many legal questions still remain and one of the most important ones among them is how individual responsibility will be approached. Barry de Vries therefore considers this issue from a doctrinal international criminal law perspective to determine how the current international criminal law framework will address this topic.

justice denied the reality of the international criminal court: *Africa and the Shaping of International Human Rights* Derrick M. Nault, 2020-12-17 Africa throughout its postcolonial history has been plagued by human rights abuses ranging from intolerance of political dissent to heinous crimes such as genocide. Some observers consequently have gone so far as to suggest that human rights are a concept alien to African cultures. The International Criminal Court (ICC)'s focus on Africa in recent years has reinforced the region's reputation as a hotspot for human rights violations. But despite Africa's notoriety concerning human rights, *Africa and the Shaping of International Human Rights* argues that the continent has been pivotal in helping to shape contemporary human rights norms and practices. Challenging prevailing Eurocentric interpretations of human rights' origins and evolution, it demonstrates that from the colonial era to the present Africa's peoples have drawn attention to and prompted novel ways of thinking about human rights through their encounters with the world at large. Beginning with the depredations of King Leopold II in the Congo Free State in the 1880s and ending with the ICC's current activities in Africa, it reveals how African events, personalities, groups, and nations have influenced the trajectory of human rights history in intriguing and critical ways, in the end enlarging and universalizing a major discourse of our time.

justice denied the reality of the international criminal court: *Beyond History* Elijah Nyaga Muniyil, David Mwambari, , Aleksis Ylönen, 2020-08-27 Moving beyond a self-indulgent attitude about Africa's historical victimhood, the book seeks to capture how African states individually and Africa's collective institutions (the AU) are providing agency in Africa's international relations. While African states have been trailblazers in such ideas as 'The Responsibility to Protect', as conceived in the African Union Constitutive Act (2001) which preceded the United Nations (UN) Secretary General's report "In Larger Freedom" (2005) in which the UN adopted the concept, African agency in international relations has not always been captured proactively. This volume seeks to document Africa (and African states) in a state of proactivity as opposed to a reactionary mode of international relations which has long been the case due to the discipline's heavy concentration on the West. The main themes explored are: African agency in international relations and commerce, agency in Africa's balancing of big and regional powers, reshaping Africa-EU relations beyond the Cotonou Agreements, Africa and international human rights institutions, African efforts in elections and conflicts in Africa and relationship building among African leaders.

justice denied the reality of the international criminal court: *International Humanitarian Law and Justice* Mats Deland, Mark Klamberg, Pål Wrange, 2018-09-18 In the last decade, there has been a turn to history in international humanitarian law and its accompanying fields. To examine this historization and to expand the current scope of scholarship, this book brings together scholars from various fields, including law, history, sociology, and international relations. Human rights law, international criminal law, and the law on the use of force are all explored across the text's four main themes: historiographies of selected fields of international law; evolution of specific international humanitarian law rules in the context of legal gaps and fault lines; emotions as a factor in international law; and how actors can influence history. This work will enhance and broaden readers' knowledge of the field and serve as an excellent starting point for further research.

justice denied the reality of the international criminal court: *The International Criminal Court and Africa* Charles Jalloh, Ilias Bantekas, 2017 This book considers the legal and political dimensions of the relationship between the International Criminal Court and Africa, looking at the role of the European Union, African Union, and African diplomacy on the issue of sovereignty and impunity for international crimes.

justice denied the reality of the international criminal court: *Law, Politics and the Limits*

of Prosecuting Mass Atrocity Damien Rogers, 2017-08-30 This book offers a unique and powerful critique of the quest for international criminal justice. It explores the efforts of three successive generations of international prosecutors, recognising the vital roles they play in the enforcement of international criminal law. By critically examining prosecutorial performance during the pre-trial and trial phases, the volume argues that these prosecutors are simultaneously political actors serving in the interests of economic liberalisation. It also posits that international prosecutors help wage a mostly silent and largely unacknowledged politico-cultural war fought for control over the institutions governing modernist international affairs. As the author contends, international prosecutors are thus best understood as agents not only of the law and politics, but also of a war fought by proponents of various utopian projects.

justice denied the reality of the international criminal court: Global Constitutionalism and the Path of International Law Surendra R. Bhandari, 2016-04-26 In *Global Constitutionalism and the Path of International Law*, Surendra Bhandari succinctly offers an account of the most important growth and features of international law from the perspectives of global constitutionalism. The author examines the concept from its constitutive features and the operative standards or *modus operandi*. These two aspects offer a new and innovative methodology in explicating the theory of 'global constitutionalism'. By examining three cases: international trade (WTO), human rights, and the role of Security Council, the author demonstrates how the idea of global constitutionalism is shaping and deepening the path of international law in the 21st century and elucidates the development of international law as a body of positive rules.

justice denied the reality of the international criminal court: Jura not alone Nora Markard, Ronen Steinke, 2024-04-10 *Mit Recht wird Politik gemacht. Mit Gesetzen und Urteilen werden gesellschaftliche Hierarchien befestigt, werden Menschen beherrscht. Aber Recht ist zugleich auch ein Mittel zur Befreiung von Herrschaft, zur Emanzipation für Minderheiten, die sich damit gegenüber einer Mehrheit behaupten. Es ist ein Instrument, mit dem sich auch für Verbesserungen kämpfen lässt – wenn man weiß wie.* Die Juraprofessorin Nora Markard und der Jurist und Journalist Ronen Steinke zeigen anhand von Beispielen aus zwölf zentralen Rechtsgebieten, wie Veränderungen mit den Mitteln des Rechts gemeinsam erkämpft werden können – vom Klimaschutz über die Geschlechterverhältnisse bis hin zu den Menschenrechten. Leicht verständlich und anschaulich geschrieben, laden sie damit alle, die sich für Politik interessieren, zur Einmischung ein. Denn Jura geht uns alle an. In zwölf Kapiteln behandelte Rechtsbereiche: Klimaschutzrecht – Können wir mit Jura den Planeten retten? Grundrechte – Wer kommt mit nach Karlsruhe? Demokratie – Wie stabil sind wir gegen eine Übernahme von rechts? Polizeirecht – Wie setzen wir der Staatsgewalt Grenzen? Strafrecht – Was hilft gegen sexistische Paragrafen? Eigentum – Was steht wem zu? Familienrecht – Wie ermöglichen wir Vielfalt? Arbeitsrecht – Wie kämpfen wir gegen Ausbeutung? Asylrecht – Was soll das mit den Grenzen? Sozialrecht – Wie geht Solidarität? Völkerrecht – Kann Recht gegen Macht gewinnen? Menschenrechte – Wie verteidigen wir einander weltweit?

justice denied the reality of the international criminal court: The Rome Statute and Islamic Law Majed Handi Alsolami, 2024-09-16 This book examines in depth the degree of compatibility and incompatibility between the general principles and jurisdiction of Islamic law and international criminal law (the Rome Statute). It discusses the controversy related to the non-ratification of the Rome Statute by some Islamic and Arab countries. The author analyses arguments that maintain that Islamic law cannot be compatible with international criminal law, and makes it clear that there are no fundamental differences between the principles of Islamic law and the principles of international criminal law. The book considers Saudi Arabia as a case for reference.

justice denied the reality of the international criminal court: Head of State Immunity under the Malabo Protocol Kobina Egyir Daniel, 2021-09-20 In *Head of State Immunity under the Malabo Protocol: Triumph of Impunity over Accountability?*, Kobina Egyir Daniel engages the subject of Head of State Immunity in international law against the backdrop of the African Union (AU)'s decision to create a Court with international criminal jurisdiction before which "Heads of State" or

persons “entitled to act in such capacity” will have immunity during incumbency. The AU asserts - in justification - not only that it is standing up for itself against “neo-colonialist imperialist forces,” which have perverted international criminal justice and target African States through the International Criminal Court (ICC), but also that it is preserving the very soul of international criminal justice as well as customary international law on immunities. Beyond the analysis to determine whether the immunity that the AU’s Malabo Protocol of 2014 confers represents a retrogression in international law norms that seek accountability for jus cogens crimes, Daniel provides valuable insights into the status-inspired dialectics and self-serving hero-villain polemics that fuel contestations of right between the AU and the ICC, and the worldviews that respectively seek to overturn/preserve the asymmetry of the international legal order. Through a review of legal history, case law from national and international tribunals, state practice and academic expositions, the book examines the evolution and practice of Head of State immunity as well as recent trends in the practice of the doctrine in light of the countervailing push to establish exceptions to immunity in order to ensure accountability under international human rights and international criminal law.

justice denied the reality of the international criminal court: The Crime of All Crimes Nicole Rafter, 2016-03-29 Cambodia. Rwanda. Armenia. Nazi Germany. History remembers these places as the sites of unspeakable crimes against humanity, and indisputably, of genocide. Yet, throughout the twentieth century, the world has seen many instances of violence committed by states against certain groups within their borders—from the colonial ethnic cleansing the Germans committed against the Herero tribe in Africa, to the Katyn Forest Massacre, in which the Soviets shot over 20,000 Poles, to anti-communist mass murders in 1960s Indonesia. Are mass crimes against humanity like these still genocide? And how can an understanding of crime and criminals shed new light on how genocide—the “crime of all crimes”—transpires? In *The Crime of All Crimes*, criminologist Nicole Rafter takes an innovative approach to the study of genocide by comparing eight diverse genocides—large-scale and small; well-known and obscure—through the lens of criminal behavior. Rafter explores different models of genocidal activity, reflecting on the popular use of the Holocaust as a model for genocide and ways in which other genocides conform to different patterns. For instance, Rafter questions the assumption that only ethnic groups are targeted for genocidal “cleansing, and she also urges that actions such as genocidal rape be considered alongside traditional instances of genocidal violence. Further, by examining the causes of genocide on different levels, Rafter is able to construct profiles of typical victims and perpetrators and discuss means of preventing genocide, in addition to delving into the social psychology of genocidal behavior and the ways in which genocides are brought to an end. A sweeping and innovative investigation into the most tragic of events in the modern world, *The Crime of All Crimes* will fundamentally change how we think about genocide in the present day.

justice denied the reality of the international criminal court: Distributive Justice Debates in Political and Social Thought Camilla Boisen, Matthew C. Murray, 2015-10-23 Who has what and why in our societies is a pressing issue that has prompted explanation and exposition by philosophers, politicians and jurists for as long as societies and intellectuals have existed. It is a primary issue for a society to tackle this and these answers have been diverse. This collection of essays approaches some of these questions and answers to shed light on neglected approaches to issues of distribution and how these issues have been dealt with historically, socially, conceptually, and practically. The volume moves away from the more dominating and traditionally cast understandings of distributive justice and shows novel and unique ways to approach distributive issues and how these can help enlighten our course of action and thought today by creating new pathways of understanding. The editors and contributors challenge readers by exploring the role and importance of restorative justice within distributive justice, exploring the long shadow of practices of trusteeship, and concepts of social and individual rights and obligations in welfare and economic systems, social protection/provision schemes, egalitarian practices and post-colonial African political thought. *Distributive Justice Debates in Political and Social Thought* empowers the reader to cast a more critical and historically complete light on the idea of a fair share and the implications it has on

societies and the individuals who comprise them.

justice denied the reality of the international criminal court: Pan Africanism, Regional Integration and Development in Africa Samuel Ojo Oloruntoba, 2020-03-10 This edited volume addresses the accomplishments, prospects and challenges of regional integration processes on the African continent. Since regional integration is a process that ebbs and flows according to a wide range of variables such as changing political and economic conditions, implications and factors derived from the vagaries of migration and climate change, it is crucial to be cognizant with how these variables impact regional integration initiatives. The contributors discuss the debates on Pan-Africanism and linking it with ongoing discourses and policies on regional integration in Africa. Other aspects of the book contain some of the most important topic issues such as migration, border management and the sustainable development goals. This content offers readers fresh and innovative perspectives on various aspects of sustainable development and regional growth in Africa.

justice denied the reality of the international criminal court: Power and Principle Christopher Rudolph, 2017-04-18 On August 21, 2013, chemical weapons were unleashed on the civilian population in Syria, killing another 1,400 people in a civil war that had already claimed the lives of more than 140,000. As is all too often the case, the innocent found themselves victims of a violent struggle for political power. Such events are why human rights activists have long pressed for institutions such as the International Criminal Court (ICC) to investigate and prosecute some of the world's most severe crimes: genocide, war crimes, and crimes against humanity. While proponents extol the creation of the ICC as a transformative victory for principles of international humanitarian law, critics have often characterized it as either irrelevant or dangerous in a world dominated by power politics. Christopher Rudolph argues in *Power and Principle* that both perspectives are extreme. In contrast to prevailing scholarship, he shows how the interplay between power politics and international humanitarian law have shaped the institutional development of international criminal courts from Nuremberg to the ICC. Rudolph identifies the factors that drove the creation of international criminal courts, explains the politics behind their institutional design, and investigates the behavior of the ICC. Through the development and empirical testing of several theoretical frameworks, *Power and Principle* helps us better understand the factors that resulted in the emergence of international criminal courts and helps us determine the broader implications of their presence in society.

justice denied the reality of the international criminal court: Political Power and Tribalism in Kenya Westen K. Shilaho, 2017-10-02 This book discusses Kenya's transition from authoritarianism to more democratic forms of politics and its impact on Kenya's multi-ethnic society. The author examines two significant questions: Why and how is ethnicity salient in Kenya's transition from one-party rule to multiparty politics? What is the relationship between ethnic conflict and political liberalization? The project explains the perennial issues of political disorganization through state violence and ethnicization of politics, and considers the significance of the concept of justice in Kenya.

Related to justice denied the reality of the international criminal court

Couple's Funeral Overshadowed by Murder Mystery - ProBoards Couple's Funeral Overshadowed by Murder MysteryNext Thread Please make a selection first « Prev 1 Next »

Satanic Statue Symbolism | What Lies Beyond Satanic Statue Symbolism A

Maine Legislature Considering Outdoor Cremations In a report for the United Kingdom's Ministry of Justice, Ivan Vince, an expert in combustion science, looked into the environmental and health risks associated with open-air cremations

Solved: Kennedy Sisters Murder (Texas) | What Lies Beyond Joanna Moderator Posts: 2,097 Solved: Kennedy Sisters Murder (Texas) 1:11:27 GMT -5 Quote Select PostDeselect PostLink to

[PostMemberGive GiftBack to Top](#)

37th Update: Nikolas Cruz - Parkland Shooter Gets Life Graveyardbride Administrator Posts: 9,166 37th Update: Nikolas Cruz - Parkland Shooter Gets Life 17:33:28 GMT -5 [Quote](#) [Select](#) [PostDeselect](#) [PostLink](#) to

Murder in Bullitt County | What Lies Beyond - ProBoards Family Still seeking Answers in Murder of Jessica Dishon

South Carolina Killers May Soon Face Firing Squad South Carolina Killers May Soon Face Firing SquadNext Thread Please make a selection first « [Prev](#) 1 [Next](#) »

Netflix's New True Crime Series 'The Keepers' - ProBoards Hoskins and Schaub's passion for justice is inspiring, a torch through the darkness that will emerge most pointedly in the series' second episode. It'd be inaccurate to paint the

Charlie Brandt: The Florida Ripper | What Lies Beyond Charlie Brandt: The Florida Ripper1 2 [Next](#) »

Christmas Eve Murders in Middletown | What Lies Beyond Christmas Eve Murders in MiddletownNext Thread Please make a selection first « [Prev](#) 1 [Next](#) »

Couple's Funeral Overshadowed by Murder Mystery - ProBoards Couple's Funeral Overshadowed by Murder MysteryNext Thread Please make a selection first « [Prev](#) 1 [Next](#) »

Satanic Statue Symbolism | What Lies Beyond Satanic Statue Symbolism A

Maine Legislature Considering Outdoor Cremations In a report for the United Kingdom's Ministry of Justice, Ivan Vince, an expert in combustion science, looked into the environmental and health risks associated with open-air cremations

Solved: Kennedy Sisters Murder (Texas) | What Lies Beyond Joanna Moderator Posts: 2,097 Solved: Kennedy Sisters Murder (Texas) 1:11:27 GMT -5 [Quote](#) [Select](#) [PostDeselect](#) [PostLink](#) to [PostMemberGive GiftBack to Top](#)

37th Update: Nikolas Cruz - Parkland Shooter Gets Life Graveyardbride Administrator Posts: 9,166 37th Update: Nikolas Cruz - Parkland Shooter Gets Life 17:33:28 GMT -5 [Quote](#) [Select](#) [PostDeselect](#) [PostLink](#) to

Murder in Bullitt County | What Lies Beyond - ProBoards Family Still seeking Answers in Murder of Jessica Dishon

South Carolina Killers May Soon Face Firing Squad South Carolina Killers May Soon Face Firing SquadNext Thread Please make a selection first « [Prev](#) 1 [Next](#) »

Netflix's New True Crime Series 'The Keepers' - ProBoards Hoskins and Schaub's passion for justice is inspiring, a torch through the darkness that will emerge most pointedly in the series' second episode. It'd be inaccurate to paint the

Charlie Brandt: The Florida Ripper | What Lies Beyond Charlie Brandt: The Florida Ripper1 2 [Next](#) »

Christmas Eve Murders in Middletown | What Lies Beyond Christmas Eve Murders in MiddletownNext Thread Please make a selection first « [Prev](#) 1 [Next](#) »

Couple's Funeral Overshadowed by Murder Mystery - ProBoards Couple's Funeral Overshadowed by Murder MysteryNext Thread Please make a selection first « [Prev](#) 1 [Next](#) »

Satanic Statue Symbolism | What Lies Beyond Satanic Statue Symbolism A

Maine Legislature Considering Outdoor Cremations In a report for the United Kingdom's Ministry of Justice, Ivan Vince, an expert in combustion science, looked into the environmental and health risks associated with open-air cremations

Solved: Kennedy Sisters Murder (Texas) | What Lies Beyond Joanna Moderator Posts: 2,097 Solved: Kennedy Sisters Murder (Texas) 1:11:27 GMT -5 [Quote](#) [Select](#) [PostDeselect](#) [PostLink](#) to [PostMemberGive GiftBack to Top](#)

37th Update: Nikolas Cruz - Parkland Shooter Gets Life Graveyardbride Administrator Posts: 9,166 37th Update: Nikolas Cruz - Parkland Shooter Gets Life 17:33:28 GMT -5 [Quote](#) [Select](#) [PostDeselect](#) [PostLink](#) to

Murder in Bullitt County | What Lies Beyond - ProBoards Family Still seeking Answers in

Murder of Jessica Dishon

South Carolina Killers May Soon Face Firing Squad South Carolina Killers May Soon Face Firing SquadNext Thread Please make a selection first « Prev 1 Next »

Netflix's New True Crime Series 'The Keepers' - ProBoards Hoskins and Schaub's passion for justice is inspiring, a torch through the darkness that will emerge most pointedly in the series' second episode. It'd be inaccurate to paint the

Charlie Brandt: The Florida Ripper | What Lies Beyond Charlie Brandt: The Florida Ripper1 2 Next »

Christmas Eve Murders in Middletown | What Lies Beyond Christmas Eve Murders in MiddletownNext Thread Please make a selection first « Prev 1 Next »

Couple's Funeral Overshadowed by Murder Mystery - ProBoards Couple's Funeral Overshadowed by Murder MysteryNext Thread Please make a selection first « Prev 1 Next »

Satanic Statue Symbolism | What Lies Beyond Satanic Statue Symbolism A

Maine Legislature Considering Outdoor Cremations In a report for the United Kingdom's Ministry of Justice, Ivan Vince, an expert in combustion science, looked into the environmental and health risks associated with open-air cremations

Solved: Kennedy Sisters Murder (Texas) | What Lies Beyond Joanna Moderator Posts: 2,097 Solved: Kennedy Sisters Murder (Texas) 1:11:27 GMT -5 Quote Select PostDeselect PostLink to PostMemberGive GiftBack to Top

37th Update: Nikolas Cruz - Parkland Shooter Gets Life Graveyardbride Administrator Posts: 9,166 37th Update: Nikolas Cruz - Parkland Shooter Gets Life 17:33:28 GMT -5 Quote Select PostDeselect PostLink to

Murder in Bullitt County | What Lies Beyond - ProBoards Family Still seeking Answers in Murder of Jessica Dishon

South Carolina Killers May Soon Face Firing Squad South Carolina Killers May Soon Face Firing SquadNext Thread Please make a selection first « Prev 1 Next »

Netflix's New True Crime Series 'The Keepers' - ProBoards Hoskins and Schaub's passion for justice is inspiring, a torch through the darkness that will emerge most pointedly in the series' second episode. It'd be inaccurate to paint the

Charlie Brandt: The Florida Ripper | What Lies Beyond Charlie Brandt: The Florida Ripper1 2 Next »

Christmas Eve Murders in Middletown | What Lies Beyond Christmas Eve Murders in MiddletownNext Thread Please make a selection first « Prev 1 Next »

Couple's Funeral Overshadowed by Murder Mystery - ProBoards Couple's Funeral Overshadowed by Murder MysteryNext Thread Please make a selection first « Prev 1 Next »

Satanic Statue Symbolism | What Lies Beyond Satanic Statue Symbolism A

Maine Legislature Considering Outdoor Cremations In a report for the United Kingdom's Ministry of Justice, Ivan Vince, an expert in combustion science, looked into the environmental and health risks associated with open-air cremations

Solved: Kennedy Sisters Murder (Texas) | What Lies Beyond Joanna Moderator Posts: 2,097 Solved: Kennedy Sisters Murder (Texas) 1:11:27 GMT -5 Quote Select PostDeselect PostLink to PostMemberGive GiftBack to Top

37th Update: Nikolas Cruz - Parkland Shooter Gets Life Graveyardbride Administrator Posts: 9,166 37th Update: Nikolas Cruz - Parkland Shooter Gets Life 17:33:28 GMT -5 Quote Select PostDeselect PostLink to

Murder in Bullitt County | What Lies Beyond - ProBoards Family Still seeking Answers in Murder of Jessica Dishon

South Carolina Killers May Soon Face Firing Squad South Carolina Killers May Soon Face Firing SquadNext Thread Please make a selection first « Prev 1 Next »

Netflix's New True Crime Series 'The Keepers' - ProBoards Hoskins and Schaub's passion for justice is inspiring, a torch through the darkness that will emerge most pointedly in the series'

second episode. It'd be inaccurate to paint the

Charlie Brandt: The Florida Ripper | What Lies Beyond Charlie Brandt: The Florida Ripper1 2
Next »

Christmas Eve Murders in Middletown | What Lies Beyond Christmas Eve Murders in
MiddletownNext Thread Please make a selection first « Prev 1 Next »

Couple's Funeral Overshadowed by Murder Mystery - ProBoards Couple's Funeral
Overshadowed by Murder MysteryNext Thread Please make a selection first « Prev 1 Next »

Satanic Statue Symbolism | What Lies Beyond Satanic Statue Symbolism A

Maine Legislature Considering Outdoor Cremations In a report for the United Kingdom's
Ministry of Justice, Ivan Vince, an expert in combustion science, looked into the environmental and
health risks associated with open-air cremations

Solved: Kennedy Sisters Murder (Texas) | What Lies Beyond Joanna Moderator Posts: 2,097
Solved: Kennedy Sisters Murder (Texas) 1:11:27 GMT -5 Quote Select PostDeselect PostLink to
PostMemberGive GiftBack to Top

37th Update: Nikolas Cruz - Parkland Shooter Gets Life Graveyardbride Administrator Posts:
9,166 37th Update: Nikolas Cruz - Parkland Shooter Gets Life 17:33:28 GMT -5 Quote Select
PostDeselect PostLink to

Murder in Bullitt County | What Lies Beyond - ProBoards Family Still seeking Answers in
Murder of Jessica Dishon

South Carolina Killers May Soon Face Firing Squad South Carolina Killers May Soon Face
Firing SquadNext Thread Please make a selection first « Prev 1 Next »

Netflix's New True Crime Series 'The Keepers' - ProBoards Hoskins and Schaub's passion for
justice is inspiring, a torch through the darkness that will emerge most pointedly in the series'
second episode. It'd be inaccurate to paint the

Charlie Brandt: The Florida Ripper | What Lies Beyond Charlie Brandt: The Florida Ripper1 2
Next »

Christmas Eve Murders in Middletown | What Lies Beyond Christmas Eve Murders in
MiddletownNext Thread Please make a selection first « Prev 1 Next »

Related Articles

- [acetyl coa definition biology](#)
- [fundamentals of engineering thermodynamics solution](#)
- [trump interview with brett](#)

[Back to Home](#)