

The International Criminal Court: Exploring its Origins, Importance, Challenges, and Possible Solutions

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Abstract

The International Criminal Court (ICC) was established through a treaty adopted in Rome on July 17, 1998, and entered into force on July 1, 2002, when its Statute Known as the Rome Statute was ratified. According to Articles 5, 6, 7 and 8 of the Rome Statute, the Court has jurisdiction over the most serious crimes of profound concern to the international community namely genocide, crimes against humanity, war crimes and the crimes of aggression. The international community intended to use the Rome Statute to bring to justice those accused of the most outrageous crimes against human rights and humanitarian law; to hold individuals and groups personally responsible for planning, ordering or committing gross crimes under international law; to prosecute those responsible for crime whether they were committed during war or peace time and regardless of whether the perpetrators were leaders or subordinates, civilians or members of the military, paramilitary or police forces; to complement prosecutions in national courts; and acting when states were unwilling or unable to effectively discharge their principle of domestic jurisdiction. Be that as it may, with the good intentions and aspirations of the Court, some serious and complex challenges exist. Therefore, this roundtable strives to explore the origins, importance, and challenges that exist with the Court and offer possible solutions to the challenges for consideration.

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