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INTERNATIONAL CRIMINAL JUSTICE IN THE 21ST CENTURY: PROSPECTS AND CHALLENGES

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ABSTRACT

In war or armed conflict, human beings often exhibit the worst form of behaviour, especially when dealing with the enemy, either as combatants or even with regard to the citizens of the enemy state. In prosecuting such wars, scant consideration is given to those who were not involved in the war as combatants, such as women, children, prisoners of war, civilians and hors de combat. War was prosecuted with impunity and warlords and persons involved in such dastardly acts often went unpunished. However, in Rome on July 17, 1998, 120 nations voted to create a permanent International Criminal Court (ICC) to try war crimes, crimes against humanity and genocide. Only seven nations opposed the measure, including Iraq, China, Israel and the United States of America. With this arrangement, there is the prospect of putting an end to impunity in war. This article examines the history, prospects and challenges of the ICC and offers suggestions on how the ICC might be more visible in State activities.