



## International Politics

International Criminal Court

Name: \_\_\_\_\_  
Section: \_\_\_\_\_  
Score: \_\_\_\_/5

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Directions: Read the following descriptions of what the International Criminal Court does and answer the questions below.

### **What is the International Criminal Court?**

The International Criminal Court (“the ICC” or “the Court”) is a permanent international court established to investigate, prosecute and try individuals accused of committing the most serious crimes of concern to the international community as a whole, namely the crime of genocide, crimes against humanity, war crimes and the crime of aggression.

### **How does the ICC differ from other courts?**

The ICC is a permanent autonomous court, whereas the *ad hoc* tribunals for the former Yugoslavia and Rwanda, as well as other similar courts established within the framework of the United Nations to deal with specific situations only have a limited mandate and jurisdiction. The ICC, which tries individuals, is also different from the International Court of Justice, which is the principal judicial organ of the United Nations for the settlement of disputes between States. The *ad hoc* tribunal for the former Yugoslavia and the International Court of Justice also have their seats in The Hague.

### **Is the ICC an office or agency of the United Nations?**

No. The ICC is an independent body whose mission is to try individuals for crimes within its jurisdiction without the need for a special mandate from the United Nations. On 4 October 2004, the ICC and the United Nations signed an agreement governing their institutional relationship.

### **Which crimes fall within the jurisdiction of the ICC?**

The mandate of the Court is to try individuals rather than States, and to hold such persons accountable for the most serious crimes of concern to the international community as a whole, namely the crime of genocide, war crimes, crimes against humanity, and the crime of aggression, when the conditions for the exercise of the Court’s jurisdiction over the latter are fulfilled.

### **How do cases come before the Court?**

Any State Party to the Rome Statute can request the Prosecutor to carry out an investigation. A State not party to the Statute can also accept the jurisdiction of the ICC with respect to crimes committed in its territory or by one of its nationals, and request the Prosecutor to carry out an investigation. The United Nations Security Council may also refer a situation to the Court.

### **Will the ICC prosecute all persons suspected of committing the most serious crimes?**

No. The Court will not be able to bring to justice every person suspected of committing crimes of concern to the international community. The prosecutorial policy of the Office of the Prosecutor is to focus its investigations and prosecutions on those who, having regard to the evidence gathered, bear the greatest responsibility for such crimes.

### **Does the ICC have the power to arrest suspects?**

The Court does not have its own police force. Accordingly, it relies on State cooperation, which is essential to the arrest and surrender of suspects.

According to the Rome Statute, States Parties shall cooperate fully with the Court in its investigation and prosecution of crimes within the jurisdiction of the Court.

### **What penalties may be imposed by the Court?**

The judges may impose a prison sentence, to which may be added a fine or forfeiture of the proceeds, property and assets derived directly or indirectly from the crime committed. The Court cannot impose a death sentence. The maximum sentence is 30 years. However, in extreme cases, the Court may impose a term of life imprisonment.

Questions:

1. What is the main purpose of the ICC?
2. What connection is there between the ICC and the UN?
3. Specifically what types of cases does the ICC deal with? What type of people does the ICC go after?
4. What is the ICC Capable of? What types of punishments can they actually hand out?