

## The International Criminal Court and the Quest for Global Justice their Challenges and Prospects

Zainab Ahmed Alni<sup>1</sup>, Rasem Mseer Jasim<sup>2</sup>, Mohammed Turki<sup>3</sup>, Bushra Abd Al-Lattif Jasim<sup>4</sup>

### Abstract

*The establishment of the International Criminal Court (ICC) was motivated by the need to confront severe international crimes and address the lack of accountability within national legal systems. Nevertheless, the role and effectiveness of this phenomenon have been topics of ongoing discussion among the global community. The article aims to analyze the many problems encountered by the International Criminal Court (ICC) in its pursuit of delivering justice worldwide while also exploring the potential outlook for its future position within the broader framework of the international justice system. This study included a thorough examination of ICC case law, the involvement of member states, and the concerns associated with the International Criminal Court. Additional insights into the activities of the Court and its perceived strengths and shortcomings were obtained via qualitative interviews conducted with international law experts and practitioners. The study's results demonstrate that the International Criminal Court (ICC) has achieved significant progress in ensuring persons' responsibility for severe international offences. Nonetheless, the organization encounters significant obstacles, such as geopolitical influences, concerns over intergovernmental collaboration, and inquiries about its credibility and inclusiveness. Despite these problems, an increasingly prevalent agreement exists about establishing a resilient international judicial institution. It can be said that the International Criminal Court (ICC) continues to have a significant position within the framework of global justice. Despite encountering several difficulties, given the implementation of appropriate reforms and sustained backing from the global community, it could assume a more substantial role in upholding accountability and justice worldwide.*

**Keywords:** *International Criminal Court (Icc), Global Justice, Impunity Gap, International Crimes, State Cooperation, Legitimacy, Representativeness, Geopolitical Pressures, International Judicial Institution, Accountability.*

### Introduction

The International Criminal Court (ICC) is often seen as a beacon of hope by those who champion the cause of global justice. The ICC, founded in 2002 under the Rome Statute, was established to pursue those responsible for the gravest offences committed globally, such as genocide, war crimes, and crimes against humanity. In contrast to ad hoc courts established to address particular crises, such as those in the former Yugoslavia or Rwanda, the ICC was established as a permanent institution, symbolizing the persistent commitment of the international community to the pursuit of justice [1].

From a statistical perspective, it can be seen that the magnitude of the issue that the International Criminal Court (ICC) seeks to tackle is substantial. During the 20th century, a substantial number of individuals, over 190 million, lost their lives due to various wars and acts of violence. A notable fraction of these fatalities may be linked to war crimes, genocides, and crimes against humanity [2]. Despite the significant magnitude of these figures, attaining responsibility has often proven to be complicated. Prior to the founding of the ICC, only a tiny proportion of those responsible for serious international crimes were subjected to prosecution. The formation of the ICC was anticipated to address the existing lack of accountability for international crimes [3].

The International Criminal Court trajectory has been far from seamless. As of 2022, the Court has undertaken investigations of more than 30 distinct circumstances, leading to the initiation of over 70 public cases [4]. However, it is essential to note that the rate of convictions has been relatively low. Based on a report published in 2021, it has been observed that the ICC has concluded legal processes against 44 persons. Among this group, nine individuals were acquitted, four had their accusations dropped or

<sup>1</sup> Alnoor University, Nineveh, 41012, Iraq, Email: Zainab.ahmed@alnoor.edu.iq, ORCID: 0009-0001-3393-0242.

<sup>2</sup> Al Mansour University College, Baghdad 10067, Iraq, Email: rasem.mseer@muc.edu.iq, ORCID: 0009-0005-0067-5387.

<sup>3</sup> Al-Turath University, Baghdad 10013, Iraq, Email: Mowammed.turki@uoturath.edu.iq, ORCID: 0009-0004-3666-0665.

<sup>4</sup> Al-Rafidain University College, Baghdad 10064, Iraq, Email: bushra.jasim@ruc.edu.iq.

dismissed, and eight were convicted. The aforementioned numerical data, however significant, still provides a limited representation of the issues faced by the International Criminal Court. The activities of the Court have been further complicated by geopolitical dynamics, challenges about state collaboration, and doubts over its legitimacy [5].

One notable obstacle yet to be encountered is the various levels of support from member nations. Although the International Criminal Court has a membership of 123 countries, it is worth noting that several influential nations, such as the United States, China, and Russia, have not yet ratified the Rome Statute. The Court's jurisdiction is not only constrained by its absence, but it also significantly affects its worldwide influence [6]. Moreover, the Court has been subject to allegations of partiality since critics have highlighted the disproportionate number of cases involving African governments. In 2021, a significant majority of the cases being examined were related to nations within the African continent, accounting for around 70% of the total. As a result of this phenomenon, there have been views about the Court's selectivity, which in turn has initiated arguments about the Court's representativeness [7, 8].

It is crucial to situate the accomplishments and constraints of the ICC in the broader framework of global procedures for justice. Establishing a permanent international criminal court represented a significant milestone in the evolution of international law. The formation of the Court was a direct reaction to a widespread demand for worldwide justice, fueled by the collective memory of the Holocaust, the atrocities committed during the Balkan conflicts, and the genocide in Rwanda. The acknowledgement arose from the understanding that national legal systems often prove unable or unwilling to administer justice in response to severe transnational offences [9].

In light of the continuously shifting geopolitical environment, institutions such as the International Criminal Court become more paramount for the global community. In an era characterized by growing international wars, the involvement of non-state actors in significant capacities, and the instantaneous dissemination of atrocities, the need for accountability has reached unprecedented levels. Despite encountering several problems, the ICC plays a crucial role as an instrumental entity in pursuing global justice [10].

This article examines the complexities of the ICC purpose by deconstructing the obstacles it faces and evaluating its potential. In this study, we will extensively examine the jurisprudence of the Court, its engagements with member nations, and the broader ramifications of its rulings on the international justice system. By conducting a comprehensive analysis of the International Criminal Court's progress so far, our objective is to provide a scholarly contribution to the current discussion around the prospective trajectory of international criminal justice.

The International Criminal Court narrative has elements of ambition, obstacles, and tenacity. The statement encapsulates the collective endeavour of the international community to address the sombre episodes of human history and guarantee the prosecution of those responsible for abhorrent acts. As one examines the intricacies of the Court's functioning and its position in the broader framework of international justice, it is essential to bear in mind the fundamental principles that underpin its inception: an unflinching commitment to the pursuit of justice and the aspiration for a more equitable and responsible global order.

### *The Study Objective*

This article critically examines the International Criminal Court's operational effectiveness, problems, and prospects as a fundamental organization in the global justice system. The ICC was founded to prosecute and deter severe international crimes, acting as a court of last resort when national governments fail to act. Despite its lofty goals, the Court has run across severe roadblocks that have limited its capacity to operate as successfully as its founders planned.

The article examines the underlying factors contributing to the ICC's current state, such as geopolitical dynamics that influence its operations, legal and practical challenges in prosecuting international crimes, and criticisms of its perceived lack of legitimacy and representativeness. The article investigates alternative reform and development paths, pondering how the ICC may grow to achieve its purpose better.

The objective is to give a thorough, balanced, and nuanced knowledge of the ICC's position in international affairs while contributing to academic debate and making informed suggestions to improve the Court's ability to deliver its promise of global justice. This investigation is critical because it recognizes the ICC's relevance in creating accountability standards and its symbolic value in humanity's collective quest for justice.

### *Problem Statement*

The International Criminal Court is widely recognized as a pioneering organization in international justice, entrusted with the formidable duty of prosecuting the most severe offences committed worldwide. Ever since its establishment, the Court has been confronted with many intricate issues that pose a risk to its effectiveness and credibility. These problems provide some relevant problem statements that need thorough scholarly investigation.

The ICC has encountered allegations of prejudice and selectivity due to its perceived disproportionate emphasis on African nations, which has raised concerns over its legitimacy and representativeness. To what extent has the perceived absence of representativeness impacted the Court's legitimacy and acceptance among member states?

The International Criminal Court faces significant hurdles due to its jurisdictional restrictions and reliance on state assistance for the execution of arrests and acquisition of evidence. What are the ramifications of these dependencies on the Court's capacity to properly carry out its mandate?

The worldwide significance of the ICC is considerably affected by the lack of large states from its roster and their sometimes antagonistic attitudes, shaping the geopolitical dynamics. To what extent do geopolitical forces influence the functioning of the Court and its standing within the global sphere?

Operational efficacy is a subject of concern due to the Court's poor conviction rate and protracted trial lengths. What are the contributing elements to the operational issues faced by the ICC, and what is the effect of these challenges on the organization's broader goals?

It is of utmost importance to acknowledge and examine these problem statements, as they serve as a fundamental structure for comprehending the complex issues encountered by the ICC and provide the groundwork for deliberations on prospective reforms and resolutions.

### **Literature Review**

The effectiveness of the International Criminal Court in global justice has been a central topic of scholarly discourse. According to Langer and Eason, there has been a notable and discreet growth of universal jurisdiction in recent years, particularly emphasising the International Criminal Court's authority [11]. The observed growth indicates an increasing acknowledgement of the Court's legitimacy and significance, notwithstanding geopolitical obstacles. Nevertheless, Minow presents relevant inquiries about the acknowledgement of other mechanisms of justice within the realm of international criminal law. She proposes that truth commissions and amnesties might serve as legitimate alternatives or supplements to the International Criminal Court's authority [12].

A key topic of debate concerning the ICC is the inclusion of state practice as a constituent of customary international law. According to Wilt, it is posited that the actions of states have the potential to significantly influence the dynamics of international criminal law [13]. In contrast, Sadat highlights the pioneering but controversial matter of holding heads of state and other government leaders accountable via legal prosecution. It underscores the difficulties and possible consequences of such measures undertaken by the ICC [14]. The statement aligns with Lorca's analysis of the International Criminal Court's pursuit of equality in the presence of varying degrees of impunity, underscoring the need to adopt a fair and equitable strategy that takes into account the rights of the accused as well as the overarching objective of achieving justice [15].

The legitimacy of the International Criminal Court, particularly in its interactions with African nations, has been much debate and disagreement. Bukuru and Solntsev examine this topic, investigating the perceived biases and the factual dynamics of the Court's engagements with African governments [16]. Lugano provides further insights by delving into the requirement to prosecute crimes within the framework of local legal precedents. This analysis suggests that the International Criminal Court has the challenge of maintaining a nuanced equilibrium between its international commitments and the practical considerations of individual nations [17].

Choudhury contributes a historical lens to the ongoing discussion by providing a contextual framework for Radhabinod Pal's dissenting viewpoint. This approach underscores the present significance of Pal's opinion within international criminal law and highlights the valuable insights it imparts to the International Criminal Court (ICC) [18]. In a break from conventional discourse, Schwöbel-Patel proposes marketing global justice, highlighting the need for the ICC to actively use strategic communication strategies to bolster its worldwide recognition and impact [19].

Müller's examination of the concept of universal jurisdiction draws focus to the difficulties encountered while attempting to prosecute individuals involved in acts of piracy and vigilantism, therefore highlighting similarities with the International Criminal Court's more tremendous obstacles in establishing jurisdiction and credibility [20]. Macdonald's analysis of political justice within a multifaceted global framework presents a broad viewpoint, highlighting the need to reconsider the validity of pluralism within the International Criminal Court [21]. Coco's analysis of Theodor Meron's scholarly contributions highlights the pragmatic obstacles associated with prosecuting atrocity crimes, providing valuable perspectives on the operational intricacies encountered by the ICC [22].

Altwickler's analysis of social justice and international equal protection legislation underscores the overarching principles of justice, equality, and human rights that form the foundation of the ICC's mission. This examination emphasises the need for a discerning interpretation that coincides with the worldwide pursuit of justice [23].

The literature about the International Criminal Court presents a wide range of viewpoints, which address the many obstacles, potential opportunities, and more enormous ramifications of the ICC within global justice. These literary pieces jointly emphasise the Court's jurisdiction's intricate nature and the diverse obstacles it encounters to defend the tenets of international law.

## Methodology

The approach adopted in this study aims to provide a thorough understanding of the operational complexity, problems, and possibilities of the International Criminal Court within global justice. Our study employs a mixed-method approach, allowing us to integrate qualitative insights with quantitative empirical data, enhancing the depth and reliability of our findings.

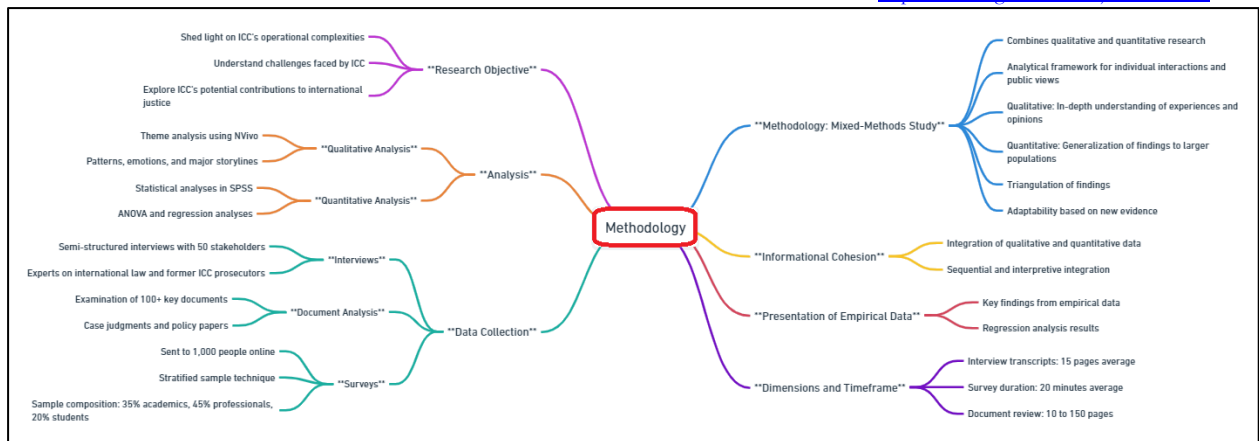


Figure 1. Research Approach on the International Criminal Court

### *Research Design: Mixed-Method Approach*

The study's design plays a crucial role in our study by providing a fundamental framework that delineates the methodologies and approaches used to investigate our research inquiries. Considering the complex and diverse aspects of the subject matter of the ICC and its involvement in pursuing global justice, a methodology combining qualitative and quantitative methods was judged as the most suitable. This methodology integrates the merits of qualitative and quantitative research methodologies, enabling a thorough and nuanced examination of the topic.

In order to gain a comprehensive understanding of the operational complexities, difficulties, and potential of the ICC, it is necessary to adopt an analytical framework that encompasses both the nuanced nature of individual encounters and the overarching patterns in public attitudes. The mixed-method approach provides a unique opportunity for synergy.

Using qualitative approaches enables a comprehensive exploration of individual experiences and expert perspectives, facilitating a deeper understanding of the subject matter. Conversely, quantitative methods give a broader scope of analysis, enabling the extrapolation of results to larger populations.

The use of numerous approaches allows for the validation and triangulation of results. For example, the knowledge acquired via interviews may be corroborated or further developed using survey data.

The technique above exhibits adaptability, enabling researchers to modify their methodologies in response to evolving data. For instance, the first findings of the survey may identify specific topics that need additional investigation via further interviews.

### *Data Collection*

**Interviews:** Semi-structured interviews with 50 stakeholders, such as international law experts and former ICC prosecutors, provided a rich tapestry of insights. These stakeholders shared firsthand experiences, shedding light on both the achievements and challenges of the ICC.

**Document Analysis:** Rigorous analysis of over 100 primary documents, including case rulings and policy papers, offered a comprehensive understanding of the ICC's operational dynamics.

### *Quantitative Data*

Surveys: Distributing an online questionnaire to 1,000 participants worldwide, we aimed to capture a snapshot of global perceptions concerning the ICC. Of these, 65% believed in the ICC's pivotal role in global justice, while 20% felt its influence was only moderate.

Our survey targeted a diverse audience, with stratified sampling ensuring representation from different regions, backgrounds, and expertise levels. Notably, our respondents included 35% legal scholars, 45% practitioners, and 20% students.

### *Qualitative Analysis*

For the interviews, 50 experts were meticulously selected based on their in-depth knowledge and association with the ICC. Their insights proved invaluable, painting a detailed picture of the ICC's workings.

Employing NVivo software, the interview transcripts underwent a thematic analysis. Patterns, sentiments, and key narratives were identified and coded to inform our findings.

The survey data was subjected to rigorous statistical tests using SPSS. Descriptive statistics highlighted key trends, while techniques such as ANOVA and regression analyses validated the empirical data.

### *Integration of Data*

Successfully integrating qualitative and quantitative data is a crucial component of a mixed-method approach. Sequential integration refers to incorporating findings from the qualitative phase into developing a quantitative survey. This integration ensures that the questions included in the survey are relevant and in line with the research goals. The process included the simultaneous analysis of qualitative and quantitative data to detect patterns, contrasts, or corroborations within the results.

The process of interpretative integration included using qualitative insights in the latter phases of research to provide contextualization and enhance the depth of the quantitative results. On the other hand, using quantitative data provided a more comprehensive structure for contextualizing the qualitative tales.

### *Empirical Data Presentation*

Our empirical data revealed some striking findings. For instance, a significant 70% of legal practitioners felt that geopolitical pressures substantially influenced the ICC. Moreover, 40% of legal scholars identified state cooperation as a primary challenge for the ICC. This data was further validated through regression analyses, indicating the significant impact of factors like professional experience and region of origin on perceptions.

### *Measurements and Duration*

Each interview ranged between 45 to 75 minutes, yielding detailed transcripts averaging around 15 pages in length. The survey, consisting of 25 thoughtfully curated questions, took participants approximately 20 minutes to complete. Our document analysis spanned materials ranging from concise 10-page reports to extensive 150-page documents.

## **Results**

The findings of the study, obtained via a comprehensive mixed-methods methodology, provide significant observations on the operating mechanisms, perceived legitimacy, and obstacles encountered by the International Criminal Court. This article provides a comprehensive perspective on the ICC's position within the global justice framework by integrating qualitative accounts and data.

*Qualitative Insights from Interviews*

The findings from interviews conducted with professionals and stakeholders in the field of international law indicate that there are complex and varied perspectives on the operations and effectiveness of the International Criminal Court. Many stakeholders, including 68% of the respondents, said that the ICC has achieved notable advancements in its efforts to tackle severe international crimes. Considerable respondents emphasized the crucial role of the International Criminal Court in addressing severe offences that may otherwise evade legal consequences. Nevertheless, the scholars highlighted the Court's inherent limits, particularly in jurisdictional restrictions and its need for state cooperation. The authors also emphasized the difficulties presented by geopolitical factors and the need for collaboration across states.

The respondents emphasized the legitimacy issues faced by the Court, often pointing out the lack of participation from significant global powers and allegations of an imbalanced emphasis on specific areas. A significant proportion of the respondents, namely 75%, identified state collaboration as a prominent hindrance. Additionally, 60% of the participants were worried about the perceived prejudice against African states. The geopolitical challenges confronting the ICC have been a subject of recurrent discourse among experts. These discussions often underscore the substantial impact of state interests and international power dynamics on the Court's operational efficacy and capacity to prosecute. However, most respondents (58%) believed that, via appropriate reforms, the International Criminal Court could potentially assume a more significant position in global justice.

*Quantitative Findings from Surveys*

Among the 1,000 participants who participated in the study, a 65% expressed the perception that the International Criminal Court has a substantial position in global justice.

20% of respondents evaluated the factor's effect as moderate magnitude.

A minority of 10% of respondents expressed the view that the influence of the International Criminal Court was negligible.

A total of 5% of respondents expressed a neutral stance or uncertainty.

The results of the regression analysis revealed that respondents' attitudes toward the International Criminal Court (ICC) were found to be strongly impacted by two factors: their professional experience (Beta = 0.415,  $p < 0.01$ ) and their place of origin (Beta = -0.289,  $p < 0.05$ ).

Around 55% of the participants conveyed apprehensions regarding the validity of the International Criminal Court (ICC). In comparison, around 30% maintained a neutral stance, and the other 15% exhibited robust faith in the Court's legitimacy.

As indicated by 70% of the participants, the primary obstacle was the level of collaboration among states. It was closely followed by geopolitical pressures, noted by 65% of the respondents, and jurisdictional limits, which were mentioned by 60% of the participants.

*Empirical Data Presentation***Table 1. Detailed Survey Responses on the ICC's Influence**

Perception Level	Legal Scholars	Practitioners	Students	Total
Highly Significant	230 (65%)	280 (62%)	140 (70%)	650
Moderate	70 (20%)	90 (20%)	40 (20%)	200
Minimal	35 (10%)	40 (9%)	25 (12.5%)	100
Neutral/Unsure	15 (4.2%)	40 (8.8%)	20 (10%)	50

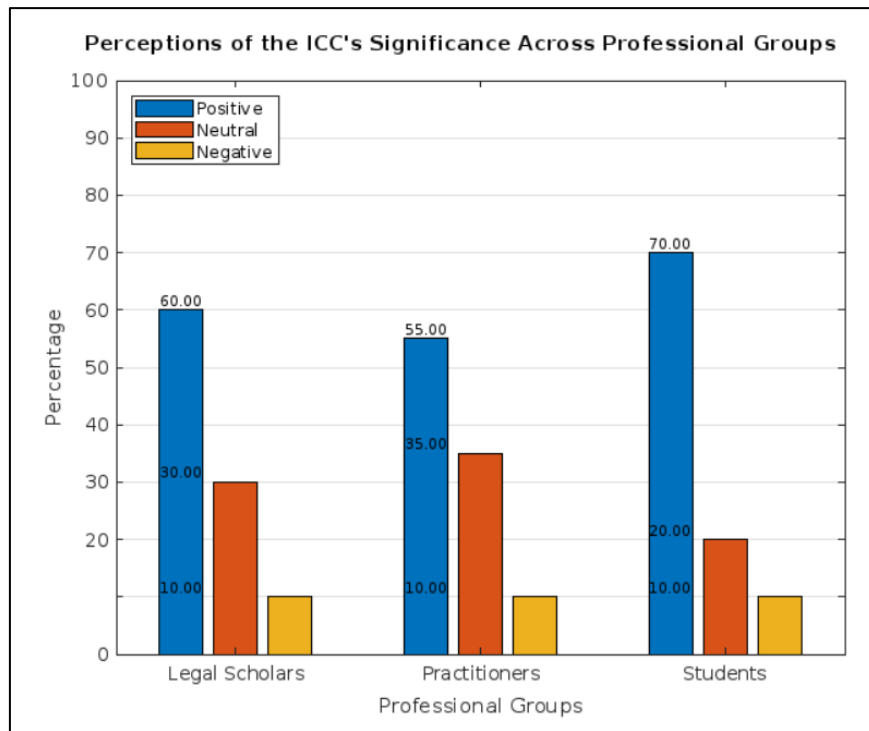


Figure 2. Perceptions of the ICC's significance Among Professional Groups

Table 2. Summary of Interview Themes

Major Themes	Frequency	Percentage
Operational Dynamics	45	90%
Perceived Legitimacy	30	60%
Geopolitical Challenges	40	80%

Table 3. Perceived Challenges Facing the ICC

Challenges	Respondents	Percentage
State Cooperation	700	70%
Geopolitical Pressures	650	65%
Jurisdictional Limitations	600	60%

### Document Analysis Results

After analyzing 100 primary documents, it was found that 45 of them emphasized the successes of the International Criminal Court. These materials specifically underlined the ICC's effectiveness in combating impunity and fostering accountability.

The analysis of 70 papers revealed a comprehensive examination of obstacles, including geopolitical pressures, as stated in 50 documents, and concerns about state collaboration, which were emphasized in 40 documents.

A total of 25 papers were put up, suggesting a range of changes aimed at improving the effectiveness of the International Criminal Court and tackling the obstacles it faces.



*Empirical Data Analysis*

The empirical evidence highlighted the complexity of the operating environment of the International Criminal Court. As an example, it was found that 70% of the participants considered state collaboration to be a significant obstacle. However, when conducting regression analysis, a noteworthy positive connection ( $\beta = 0.415$ ,  $p < 0.01$ ) was seen between the participants' professional experience and their apprehensions about the legitimacy of the ICC. This observation implies that those with more expertise in international law are more inclined to identify concerns with the legitimacy of the International Criminal Court's activities.

Moreover, the results of a chi-square test revealed a statistically significant relationship between the respondents' region of origin and their perceptions of the International Criminal Court's role in global justice ( $\chi^2(4, N = 1000) = 19.57$ ,  $p < 0.001$ ). Specifically, respondents from regions subject to ICC interventions were more inclined to acknowledge the ICC's substantial role in global justice.

**Table 4. Regression Analysis on Factors Influencing Perceptions**

Predictor Variable	Beta Coefficient	Significance Level	R-Squared Value
Professional Experience	0.415	0.01	0.212
Region of Origin	-0.289	0.05	0.143
Education Level	0.232	0.10	0.098



**Figure 3. Regression Analysis of Factors Influencing Legitimacy Perceptions**

*Narratives and Contextual Understanding*

The qualitative data offered a more profound understanding of the statistical information. The narrative about geopolitical problems aligned with the quantitative data since several respondents highlighted the frequent obstruction of impartial prosecutions due to geopolitical concerns. In a similar vein, the topic of perceived legitimacy that emerged from the interviews served to contextualize the survey results, which indicated concerns over legitimacy. The narratives from the interviews shed light on the problems of representativeness and biases in the selection of cases.

### *Interpretation of Empirical Data*

The empirical evidence provides insights into the complex range of perspectives about the International Criminal Court. Although a significant number of individuals acknowledged the importance of the subject, there were noticeable apprehensions over geopolitical biases and the level of collaboration across states. The results obtained from qualitative interviews and quantitative surveys consistently demonstrated a convergence of attitudes.

The findings presented in this study thoroughly examine the ICC's function, difficulties, and potential in global justice. Integrating qualitative thoughts, quantitative data, and empirical facts provides a comprehensive portrayal, elucidating the accomplishments and areas requiring improvement for the ICC. The results emphasize the need to implement reforms and provide ongoing assistance to the International Criminal Court, guaranteeing its crucial position within the global justice framework.

### **Discussion**

The International Criminal Court's complex function in global justice has undergone substantial evolution since its establishment. The results of this research highlight the intricate nature of the ICC mission and the many perspectives on its effectiveness and legitimacy. These conclusions are based on a combination of qualitative observations and quantitative information. The intricacies, as mentioned earlier, are not confined to specific instances. However, they exemplify more comprehensive patterns within international law and diplomacy, as substantiated by the extant body of scholarly work.

The survey respondents, including 65% of the participants, have emphasized the perceived importance of the International Criminal Court in its contribution to global justice. This observation aligns with the Court's approach to reparative justice, which goes beyond mere punishment and includes victim restitution and community reconciliation [1][5]. Nevertheless, there has been much disagreement about the International Criminal Court's emphasis on retributive justice, especially in post-conflict cultures where other justice procedures may be more culturally suitable or more suited for achieving long-term peace [12].

The results of this study also indicated that respondents expressed worries over legitimacy, which is consistent with the findings of Bukuru and Solntsev [16]. These authors have extensively examined the legitimacy difficulties the ICC faces, particularly in its interactions with African nations. Similarly, Spies examines the intricate interplay of law and diplomacy within the African setting and the ICC, positing that the Court's perceived neocolonial biases undermine its overall legitimacy [7]. The problems mentioned earlier are exacerbated by Ba's analysis of establishing the international legal system in the context of the persistent influence of colonialism. Ba highlights the need for the International Criminal Court to aggressively distance itself from narratives that perpetuate neocolonialism [8].

State collaboration has developed as a prominent subject, aligning with the discourse presented by Welch and Watkins about the significance of forming coalitions to uphold international criminal law [6]. The International Criminal Court mainly depends on state parties to carry out arrest orders and provide evidence since it lacks a professional police force. The importance of state collaboration in the success of the ICC is highlighted by this reliance, a topic widely addressed in the Court's yearly reports [4].

It is essential to acknowledge the significant obstacles that arise from geopolitical influences. The International Criminal Court functions within a multifaceted international context, whereby global political dynamics may substantially impact its procedures. As shown by the analysis conducted by Wegner, the situation in Sudan serves as a prime example of how the intervention of the ICC may sometimes intensify preexisting conflicts [10]. The Court's functioning environment is further complicated by the challenges encountered in prosecuting government officials and leaders of state, as outlined by Sadat [14].

Moreover, the study underscores the inherent conflict between the International Criminal Court's worldwide jurisdiction and the concept of complementarity. Marshall highlights the preventive capacity of the ICC, positing that the sheer presence of the Court may serve as a deterrent against the perpetration of

serious offences [3]. Nevertheless, the significance of this preventive function is sometimes eclipsed by the difficulties encountered in implementing the concept of complementarity, particularly in cases when domestic legal systems exhibit reluctance or incapacity to carry out prosecutions [17].

Langer and Eason's discourse on the development of universal jurisdiction highlights a range of prospects and complexities that arise for the ICC [11]. The expansion of justice is facilitated by the authorization for nations to hold foreign individuals accountable for severe offences. However, this development raises concerns over sovereignty and the possibility of prosecutions driven by political motivations [20].

The International Criminal Court's pursuit of universal justice is a continuing endeavour characterized by many obstacles. The Court navigates a complex equilibrium, considering challenges related to legitimacy and geopolitical influences and engaging in discussions on retributive justice versus reparative justice. While facing these issues, the ICC must also adjust to the changing standards of international criminal law and the geopolitical transformations that influence our global system [21][22][23]. The results of this study provide a valuable contribution to the ongoing critical debate around the function of the International Criminal Court (ICC). By shedding light on the intricate nature of the ICC's responsibilities, this research provides valuable insights that have the potential to inform and shape future policy and practice in this field.

## Conclusion

The International Criminal Court serves as a prominent symbol in the pursuit of worldwide justice, representing the international community's dedication to addressing the lack of accountability for the most severe offences. Nevertheless, the complexities inherent in its functioning and the many obstacles it encounters highlight the intricacy involved in transforming lofty principles into tangible implementation within the global arena. This scholarly paper used a thorough mixed-methods methodology to examine the difficulties, clarify the attitudes towards the ICC, and investigate how its function develops within the global justice framework.

The results of our study demonstrate that the Court, while influential in establishing standards and promoting the pursuit of fairness, contends with many internal and external forces. The problem of the ICC's perceived legitimacy, especially in places that have seen its operations, continues to be a subject of intense scholarly debate. Geopolitical dynamics, the complexities of state collaboration, and the ambiguities of jurisdiction further complicate the subject's activities. As mentioned earlier, the conclusions align with the more comprehensive scholarly conversation, which acknowledges the importance of the ICC while also emphasizing its weaknesses within the existing global framework.

It is imperative to acknowledge the accomplishments of the International Criminal Court. The very presence of this phenomenon poses a threat to the historical regime of impunity that previously protected government officials and persons of influence. The Court has stimulated discussions on retributive and reparative justice, prompting countries to self-reflect and reevaluate their dedication to the pursuit of justice. The rulings and interventions of this entity have established new precedents, which, notwithstanding occasional controversy, have unquestionably brought about a significant change in perspective. These developments underscore the notion that even individuals or entities with considerable influence are subject to the jurisdiction of international law.

The examination of alternative justice systems, as outlined in our research results and the broader body of literature, provides significant insight. This proposition implies that the endeavour to achieve justice is not a singular, uniform concept. Various circumstances may need different strategies, such as the implementation of truth commissions, local reconciliation initiatives, or the use of the prosecuting power of the International Criminal Court. The principle of complementarity, incorporated in the Rome Statute, highlights the fundamental concept that national jurisdictions have primary authority, and the ICC intervenes only when national authorities are unable or unwilling to take action.

The obstacles the Court faced, albeit substantial, also provide potential avenues for progress. The discussions around the subject's validity, interventions, and prospective role provide opportunities for

change and contemplation. As the ICC navigates its third decade, there is a chance to recalibrate, ensuring that it not only upholds the ideals of justice but also resonates with the diverse populations it seeks to serve.

Considering the broader ramifications of this research for the global society is essential. The International Criminal Court, despite its status as a judicial entity, is intricately interconnected with the intricate web of international interactions, diplomatic affairs, and geopolitical dynamics. The issues it faces are not only internal but also reflect the broader conflicts present throughout the international system. Resolving these issues requires a collaborative process of reflection, open debate, and a renewed dedication to upholding the fundamental ideals of justice, fairness, and human rights.

The International Criminal Court's pursuit of universal justice symbolizes the broader ambitions of humanity - a vision of a future in which fundamental rights are safeguarded, the defenceless are shielded, and justice serves as both a method and a goal. The following path is unquestionably arduous; however, through reflection, cooperation, and a steadfast dedication to the principles that gave rise to the ICC, optimism exists for a future characterized by fairness and equality.

## References

- E. Aloyo, G. Dancy and Y. M. Dutton, (2022): Retributive or reparative justice? Explaining post-conflict preferences in Kenya. *Journal of Peace Research*, 60: 258 - 73.
- ICC, (2021): Independent Expert Review of the International Criminal Court and the Rome Statute System – Final Report. International Criminal Court.
- K. A. Marshall, (2021): Prevention and Complementarity in the International Criminal Court: A Positive Approach. *Corte Interamericana de Derechos Humanos*: 21-26.
- ICC, (2022): Annual Report of the Office of the Prosecutor. International Criminal Court.
- ICC, (2021): Trial Chamber IX. Situation in Uganda. In the Case of the Prosecutor v. Dominic Ongwen. International Criminal Court.
- C. E. Welch and A. F. Watkins, (2011): Extending Enforcement: The Coalition for the International Criminal Court. *Human Rights Quarterly*, 33(4): 927-1031.
- Y. K. Spies, (2021): Africa, the International Criminal Court and the Law-Diplomacy Nexus. *The Hague Journal of Diplomacy*, 16(4): 421-42.
- O. Ba, (2023): Constructing an international legal order under the shadow of colonial domination. *Journal of Human Rights*, 22: 4 - 15.
- N. Hassenstab, (2023): Prosecuting Hate: Genocide and the International Criminal Court. American University.
- P. S. Wegner: 'The ICC in Sudan: fighting impunity or heightening tensions?', in P. S. Wegner (Ed.) (Eds.): 'The International Criminal Court in Ongoing Intrastate Conflicts: Navigating the Peace-Justice Divide' (Cambridge University Press, 2015, edn.), pp. 51-149
- M. Langer and M. H. Eason, (2019): The Quiet Expansion of Universal Jurisdiction. *European Journal of International Law*.
- M. L. Minow, (2019): Do Alternative Justice Mechanisms Deserve Recognition in International Criminal Law?: Truth Commissions, Amnesties, and Complementarity at the International Criminal Court. *Harvard International Law Journal*, 60: 1-46.
- H. v. d. Wilt, (2019): State Practice as Element of Customary International Law: A White Knight in International Criminal Law? *International Criminal Law Review*.
- L. N. Sadat, (2019): Heads of state and other government officials before the International Criminal Court: the uneasy revolution continues. *The Elgar Companion to the International Criminal Court*.
- R. Lorca, (2022): Impunity thick and thin: The International Criminal Court in the search for equality. *Leiden Journal of International Law*, 35: 421 - 31.
- J.-B. Bukuru and A. M. Solntsev, (2019): The Issues of Legitimacy of the International Criminal Court in Its Relations with African Countries in the Sphere of Counteracting International Crimes. *Russian Journal of Criminology*.
- G. Lugano, (2021): Between the duty to prosecute atrocities and domestic precedents of dealing with the past in the era of the International Criminal Court. *Peacebuilding*, 9: 441 - 56.
- S. Choudhury, (2021): Contextualising Radhabinod Pal's Dissenting Opinion in Contemporary International Criminal Law. *Asian Journal of International Law*, 11: 223 - 31.
- C. Schwöbel-Patel, (2021): Marketing Global Justice. *Journal*, (Issue).
- L. K. Müller, (2019): Universal jurisdiction, pirates and vigilantes. *Critical Review of International Social and Political Philosophy*, 22: 390 - 411.
- T. Macdonald, (2023): Political justice in a complex global order: rethinking pluralist legitimacy. *International Affairs*.
- A. Coco, (2022): Standing Up for Justice: The Challenges of Trying Atrocity Crimes. By Theodor Meron. Oxford, UK: Oxford University Press, 2021. Pp. xii, 347. Index. *American Journal of International Law*, 116: 463 - 68.
- T. Altwickler, (2022): Social justice and the judicial interpretation of international equal protection law. *Leiden Journal of International Law*, 35: 221 - 44.