



Cour
Pénale
Internationale

International
Criminal
Court



What is the ICC and what does it do?

The student as a
knowledge builder

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OBJECTIVES

- become familiar with the ICC's activities and other tribunals addressing crimes of concern for the international community
- learn basic legal concepts and terminology
- learn how to collect and select only relevant information
- develop brief definitions of key legal concepts
- learn how to work in team and allocate tasks/roles
- practise public speaking

LESSON OUTLINE

Part A

Divide the class into 5 groups according to the number of term batches below:

- Treaty / Jurisdiction / Ratification / Signatory / Admissibility / Referral
- Trial / Hearing / Sentence / Warrant of arrest / Summons to appear / Appeal
- Prosecutor / Defence / Judge / Investigation / Cross-examination / Testimony
- Enslavement / Deportation / Apartheid / Pillaging / Seizure / Conscription
- Perpetrator / Suspect / Accused / Detainee / Convicted / Acquitted



Ask each group to answer the following questions:

Are you familiar with these concepts? If so, in what context did you hear them? For the concepts you are not familiar with, look them up in the dictionary.

Provide a brief definition of each concept and give a brief presentation to the class of the terms in your batch.

LESSON OUTLINE

Part B

Build background on the ICC and its activities

The ICC 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: the crime of genocide, crimes against humanity, war crimes and the crime of aggression. The primary mission of the ICC is to help put an end to impunity for the perpetrators of such crimes and contribute to their prevention.

On 17 July 1998, a conference of 160 States adopted a treaty – known as the Rome Statute of the International Criminal Court – establishing the International Criminal Court. The treaty entered into force on 1 July 2002. Among other things, the Rome Statute sets out the crimes falling within the jurisdiction of the ICC, the rules of procedure and the mechanisms for States to cooperate with the ICC. The countries which have accepted these rules are known as States Parties. Over 120 countries are States Parties to the Rome Statute, representing all regions: Africa, the Asia-Pacific, Eastern Europe, Latin America and the Caribbean, as well as Western Europe and North America.

The ICC is not a substitute for national courts. According to the Rome Statute, it is the duty of every State to exercise its criminal jurisdiction over those responsible for international crimes. The ICC can only intervene where a State is unable or unwilling genuinely to carry out the investigation and prosecute the perpetrators.

The ICC is composed of four organs: the Presidency, the Chambers, the Office of the Prosecutor and the Registry. The Presidency is responsible for the administration of the Court and represents the Court to the outside world; the Chambers (Pre-Trial, Trial and Appeals) comprise 18 judges who fulfil the judicial functions of the Court: they resolve all issues which arise before the trial phase begins and decide on the admissibility of situations and cases before the Court, they ensure that trials are fair and expeditious and are conducted with full respect for the rights of the accused and due regard for the protection of the victims and the witnesses, they may uphold, reverse or amend a decision or even order a new trial; the Office of the Prosecutor analyses information on situations or alleged crimes within the jurisdiction of the ICC, determines whether to initiate an investigation and litigates cases before the various Chambers of the Court; the Registry provides administrative and operational support to the Court and is responsible for activities in relation to defence, victims, communication and security matters.



Key information

- the treaty establishing the Court (the Rome Statute)
- dates of establishment of the Rome Statute and the ICC (1998 and 2002) number and regional distribution of States Parties to the Rome Statute (over 120 from all regions)
- four organs of the ICC (Presidency, Chambers, Office of the Prosecutor and Registry)
- crimes under the ICC jurisdiction (the crime of genocide, crimes against humanity, war crimes and crime of aggression)

Provide the students with an overview of other past and current tribunals dealing with crimes of concern for the international community.

Some of the most heinous crimes were committed during the conflicts which marked the twentieth century. Unfortunately, many of these violations of international law have remained unpunished. The Nuremberg and Tokyo tribunals were established in the wake of the Second World War. In 1948, when the Convention on the Prevention and Punishment of the Crime of Genocide was adopted, the United Nations General Assembly recognised the need for a permanent international court to deal with the kinds of atrocities which had just been perpetrated.

The idea of a system of international criminal justice re-emerged after the end of the Cold War. However, while negotiations on the ICC Statute were underway at the United Nations, the world was witnessing the commission of heinous crimes in the territory of the former Yugoslavia and in Rwanda. In response to these atrocities, the United Nations Security Council established an ad hoc tribunal for each of these situations.

These events undoubtedly had a most significant impact on the decision to convene the conference which established the ICC in Rome in the summer of 1998.

Show to the class official audio-visual material about the ICC and its activities.

[ICC institutional video](#)

[Presentation of proceedings](#) video

Photos of hearings: Lubanga sentencing, Gbagbo confirmation of charges