War Crimes and ICC

Why in news?

The Congolese warlord Bosco Ntaganda was recentlypronounced guilty of war crimes and crimes against humanity (CAH) by the International Criminal Court (ICC).

What is the story behind?

- These convictions are related to the 2002-03 ethnic conflict in the Democratic Republic of Congo (DRC).
- After a 2006 indictment by the Hague court, it took seven more years for him to surrender and months more before the trial could start.
- The conviction follows the ICC's 2012 sentencing of Thomas Lubanga, the first to be pronounced guilty pertaining to atrocities in the Congo.

What are some other recentcases?

- In **2014**, the ICC chargedthe **Kenyan President**of crimes against humanity, relating to the death of hundreds in the 2007 post-election ethnic violence.
- This rulingconvicted the former Vice Presidentof DRCin 2016 and handed an 18-year sentence.
- In**2019**, former **President of Ivory Coast** was acquitted of crimes against humanity.

What are the challenges for ICC?

- ManyAfrican countries feel that they are being **selectively targeted**.
- The ICC facesa **strong resistance** to prosecute thewar crimes committed in Iraq and Afghanistan.
- Some countries like Burundi, the Philippines are**quitting** the ICC.
- The **surge of nationalism** around the world is a**challenge toenforce accountability** transcending domestic and regional borders.
- The **refusal of major states** to bring themselves under the court's jurisdiction has dampened the hope to ensure that serious atrocities committed by elected representatives do not go unpunished.

Source: The Hindu

Quick Facts

International Criminal Court (ICC)

- ICC is an intergovernmental organization and international tribunal. It is the world's first permanent international criminal court.
- **Headquarter**: The Hague, Netherlands.
- It has the jurisdiction to **prosecute individuals for the international crimes** of genocide, crimes against humanity (CAH), crime of aggression and war crimes.
- It **complements the existing national judicial systems** and so it can only exercise its jurisdiction when certain conditions are met.
- States which become party to the Rome Statute becomes member of ICC.
- The co-operation of the non-party states with ICC is of voluntary nature.
- But when a case is referred by the UNSCto the ICC, all UN member states are obliged to cooperate, since its decisions are binding for all of them.
- **India is not a signatory** to the Rome Statute.

