

The Effectiveness of International Criminal Justice Mechanisms in Combating Impunity

Khaled Ibn Eloualid Ouabel¹, Mohamed Baya²

^{1,2}University of Tissemsilt, Algeria

¹Email: Ouabelkhaled82@gmail.com

²Email: ctd.baya.mohamed@univ-tissemsilt.dz

Abstract

This study examines the effectiveness of international criminal justice mechanisms in combating impunity for international crimes. Impunity not only reflects the failure to punish perpetrators but also undermines confidence in international law and weakens the protection of fundamental human values, international peace, and security. The study analyzes the conventional and institutional framework for combating impunity, focusing on the role of major international instruments, including the 1949 Geneva Conventions, the 1948 Genocide Convention, the 1984 Convention against Torture, and the 2006 Convention for the Protection of All Persons from Enforced Disappearance. These instruments establish obligations concerning criminalization, investigation, prosecution, and extradition. The study also examines universal criminal jurisdiction as a mechanism for preventing perpetrators from escaping accountability across national borders. Furthermore, the study analyzes the experiences of the International Criminal Tribunals for the former Yugoslavia and Rwanda, particularly their contribution to establishing individual criminal responsibility and limiting reliance on official status. It also examines the International Criminal Court under the 1998 Rome Statute, with emphasis on the principle of complementarity. The study concludes that international criminal justice mechanisms have significantly contributed to limiting impunity, but their effectiveness remains constrained by State cooperation, political considerations, weak enforcement mechanisms, and differences in national legislation. Combating impunity therefore requires stronger cooperation between international and national jurisdictions.

Keywords: International Criminal Justice; Impunity; Universal Criminal Jurisdiction; International Criminal Court; Individual Criminal Responsibility.

Introduction

Impunity has become one of the most serious challenges facing contemporary international criminal justice. It does not merely signify the failure to impose punishment on perpetrators; rather, it undermines confidence in international law itself and transforms fundamental rules designed to protect humanity into provisions incapable of achieving their intended purpose. International crimes, by virtue of their nature and gravity, do not affect victims alone; they also offend the conscience of humanity and threaten international peace and security. Consequently, examining the effectiveness of international criminal justice mechanisms has become a matter of considerable scientific and legal importance.[1]

While traditional international law was primarily concerned with regulating relations among States, the emergence of collective crimes and serious violations revealed the limitations of holding States solely responsible at the international level. This development necessitated a shift toward establishing individual criminal responsibility for acts whose gravity poses a threat to the international community as a whole. It was within this context that the concept of international criminal justice emerged as an attempt to overcome the constraints imposed by absolute sovereignty and to subject perpetrators of genocide, crimes against humanity, and war crimes to the rule of law and legal accountability.[2]

Received: July 17, 2026; Accepted: August 20, 2026; Published: September 03, 2026

© 2026 The Author. Published by IMCRA. This is an open-access article distributed under the terms of the Creative Commons Attribution 4.0 International License (CC BY 4.0), which permits unrestricted use, distribution, adaptation, and reproduction in any medium, provided that the original author and source are properly credited.

<https://creativecommons.org/licenses/by/4.0/>



The importance of this topic lies in the fact that international criminal justice mechanisms do not constitute a mere institutional luxury; rather, they have become essential instruments for protecting the fundamental values of the international community. International conventions, ad hoc international criminal tribunals, and the permanent International Criminal Court represent interconnected stages in a long process aimed at narrowing the scope of impunity. Nevertheless, these mechanisms continue to face political, legal, and procedural constraints that call their effectiveness into question and warrant further examination and evaluation.[3]

This study seeks to assess the extent to which international criminal justice mechanisms are capable of combating impunity by analyzing their legal and institutional foundations and examining the role of international criminal tribunals in establishing individual criminal responsibility and limiting reliance on official immunities. It also seeks to highlight the practical limitations affecting the effectiveness of these mechanisms, particularly those arising from political considerations and the lack of effective international cooperation.[4]

Accordingly, this study is guided by the following central research question:

To what extent have international criminal justice mechanisms contributed to limiting impunity for international crimes?

To address this question, the study adopts an analytical approach to examine the content of relevant legal texts and the mechanisms established under international criminal law. It also employs a descriptive approach to provide a systematic overview of international judicial experiences, while drawing upon the historical method to trace the development of international criminal justice from ad hoc tribunals to the establishment of the permanent International Criminal Court.[5]

First Section

The Conventional and Institutional Framework for Combating Impunity

The conventional and institutional framework encompasses the body of international legal rules and institutions that oblige States to criminalize serious violations and to prosecute or extradite their perpetrators. These rules are particularly prominent in international humanitarian law and international human rights law. Accordingly, this section examines the role of international conventions in establishing legal obligations aimed at combating impunity, before addressing the role of universal criminal jurisdiction and the practical limitations affecting the effectiveness of these mechanisms.[6]

First Subsection: The Role of International Conventions in Establishing the Duty to Prosecute and Punish

First Branch: International Humanitarian Law Conventions as a Foundation for Combating Impunity

International conventions constitute one of the primary legal foundations for combating impunity, as they transform the obligation to pursue perpetrators of serious crimes into binding legal obligations incumbent upon States Parties. Once a State becomes a party to an international convention containing provisions concerning the prosecution, trial, or extradition of offenders, it assumes obligations to investigate and prosecute persons responsible for crimes falling within the scope of that convention, in accordance with the applicable legal framework.[7]

The significance of this legal framework is particularly evident in the field of international humanitarian law, which does not merely establish rules for the protection of persons during armed conflicts but also connects those rules to mechanisms designed to ensure their enforcement through criminal accountability. Humanitarian rules cannot achieve their intended purpose if serious violations remain without consequences. For this reason, the Geneva Conventions require States Parties to adopt the necessary legislative measures to provide effective penal sanctions for persons committing, or ordering the commission of, grave breaches.[8]

The four Geneva Conventions of 1949 established a fundamental principle according to which grave breaches cannot be regarded as purely domestic matters. States Parties are required to search for persons alleged to have committed, or to have ordered the commission of, such grave breaches and to bring them before their own courts, regardless of their nationality. They may also, under the conditions established

by the Conventions and their domestic legislation, hand such persons over for trial to another State concerned.[9]

In this respect, the Geneva Conventions constitute one of the most important treaty foundations for the exercise of universal jurisdiction over grave breaches. Jurisdiction in such cases is linked primarily to the gravity and international character of the violation rather than exclusively to the nationality of the perpetrator or the victim.[10]

The effectiveness of this framework is reflected in its removal of the purely domestic character that might otherwise be attributed to certain grave violations and in its opening of avenues for pursuing perpetrators beyond the territorial boundaries of the State where the crime was committed. The objective of this approach is to prevent political borders from becoming a safe haven for perpetrators and to prevent sovereignty from being used as a means of obstructing accountability.[11]

Nevertheless, the effectiveness of the Geneva Conventions remains dependent to a significant extent on the willingness and capacity of States to translate their international obligations into effective domestic legislation. International provisions are insufficient on their own if they are not accompanied by clear domestic criminalization, appropriate jurisdictional rules, independent judicial institutions, and competent authorities capable of conducting investigations and trials without undue political or diplomatic interference.[12]

Additional Protocol I of 1977 strengthened this approach by reaffirming the obligation to respect and ensure respect for international humanitarian law and by requiring measures designed to prevent and repress serious violations. Article 85, in particular, identifies certain acts as grave breaches and requires appropriate measures to suppress them.[13]

Additional Protocol II of 1977 also contributed significantly to the protection of victims of non-international armed conflicts. However, its provisions concerning criminal repression do not establish a system identical in scope to that applicable to grave breaches under the Geneva Conventions and Additional Protocol I. Subsequent developments in international criminal law, particularly through the Rome Statute, have expanded the range of conduct recognized as war crimes in non-international armed conflicts.[14]

Accordingly, international humanitarian law mechanisms have contributed significantly to narrowing the scope of impunity, but they have not eliminated the phenomenon altogether. They have established an important legal basis for accountability; however, their practical implementation remains dependent upon State cooperation, the effectiveness of domestic judicial systems, and the capacity of national authorities to incorporate and enforce international rules.[15]

Second Branch: International Human Rights Conventions and Their Role in Criminalizing Serious Violations

Alongside international humanitarian law, international human rights conventions have played an important role in combating impunity, particularly with regard to crimes that affect human dignity at its core, such as genocide, torture, and enforced disappearance. These conventions have gone beyond merely proclaiming fundamental rights and freedoms; they have also imposed obligations on States to criminalize serious violations and to prosecute those responsible for their commission.[16]

The Convention on the Prevention and Punishment of the Crime of Genocide of 1948 constitutes one of the most important foundational instruments for accountability for international crimes. Article I confirms that genocide, whether committed in time of peace or war, is a crime under international law that States undertake to prevent and punish. Article V further requires States Parties to enact the necessary legislation and provide effective penalties for persons guilty of genocide and related acts.[17]

Article VI of the Genocide Convention provides that persons charged with genocide or related acts shall be tried by a competent tribunal of the State in whose territory the act was committed, or by such international penal tribunal as may have jurisdiction with respect to States Parties that have accepted its jurisdiction.[18]

Nevertheless, the practical effectiveness of the Convention was constrained by the dependence of accountability, for many years, upon domestic judicial systems and the absence of a permanent

international criminal court. This situation raises a significant practical problem where State institutions themselves are involved in the commission of the crime, or where national judicial authorities are unwilling or unable to conduct genuine and effective proceedings.[19]

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 provides a clearer example of the development of universal jurisdiction as a mechanism for combating impunity. Articles 5 to 7 establish jurisdictional obligations and require States Parties to submit cases to their competent authorities for prosecution when the alleged offender is present in their territory and the relevant conditions are satisfied, unless the State extradites the person to another State with jurisdiction.[20]

The significance of the Convention against Torture does not lie exclusively in the obligation to punish perpetrators. It also established a broader monitoring and cooperation framework based on reporting obligations and the work of the Committee against Torture. Combating impunity therefore cannot be achieved solely through judicial proceedings; it also requires continuous mechanisms of monitoring, documentation, and legal pressure on States to comply with their international obligations.[21]

Similarly, the International Convention for the Protection of All Persons from Enforced Disappearance of 2006 strengthened the international legal framework for combating impunity. Article 4 requires each State Party to ensure that enforced disappearance constitutes an offence under its criminal law, while Article 6 establishes forms of individual and superior responsibility.[22]

The Convention is also distinguished by the establishment of the Committee on Enforced Disappearances, which monitors the implementation of States Parties' obligations and performs functions relating to reports and communications in accordance with the Convention.[23] This demonstrates that combating impunity requires a multidimensional approach combining international monitoring, documentation, and criminal prosecution.

Accordingly, international human rights conventions have contributed to transforming certain serious violations into internationally punishable crimes and have imposed legislative and judicial obligations upon States. Nevertheless, their effectiveness remains dependent to a considerable extent on political will, the independence of domestic judiciaries, and the willingness of States to implement their obligations in good faith.[24]

Second Subsection: Universal Criminal Jurisdiction and the Limits of the Effectiveness of International Conventions

First Branch: Universal Criminal Jurisdiction as a Mechanism for Pursuing Perpetrators of International Crimes

Universal criminal jurisdiction is based on the premise that certain crimes are so grave that the international community as a whole has an interest in ensuring that their perpetrators do not enjoy impunity. Attacks on fundamental human values cannot always remain matters of purely domestic concern; rather, their gravity may justify the exercise of jurisdiction by States other than the State in which the crime was committed or the State of nationality of the perpetrator or victim, subject to the applicable rules of international law and domestic legislation.[25]

This principle reflects an important transformation in the philosophy of international criminal accountability. The place where the crime was committed and the nationality of its perpetrator are not always the decisive elements. Instead, the gravity and international character of the conduct may provide a basis for jurisdiction. This development constitutes an important legal tool for combating impunity because it restricts perpetrators' ability to seek refuge in foreign States and avoid prosecution.[26]

The Geneva Conventions embody this principle particularly clearly through the obligation of States Parties to search for persons suspected of having committed grave breaches and to bring them before their courts, regardless of nationality.[27]

Despite its theoretical importance, universal jurisdiction faces numerous practical difficulties, including the collection and preservation of evidence after the commission of a crime, the protection of witnesses, and the reluctance of some States to cooperate in extradition or the exchange of information. States may also hesitate to exercise universal jurisdiction because of concerns about diplomatic tensions or

allegations that criminal justice is being politicized.[28]

For this reason, incorporating universal jurisdiction into domestic legislation remains an essential step toward strengthening the effectiveness of international criminal justice mechanisms. International institutions cannot, by themselves, pursue every perpetrator of an international crime. Domestic courts exercising universal jurisdiction in good faith can therefore become essential partners in closing gaps through which perpetrators might otherwise escape accountability.[29]

Second Branch: Practical Limitations Affecting the Effectiveness of International Conventions

Despite the importance of international conventions in establishing a system for combating impunity, they are not free from structural and practical limitations. International legal rules require domestic political and institutional will for their implementation. Such will may be absent when perpetrators belong to powerful political or military structures or enjoy political protection, making it difficult to transform international legal obligations into effective criminal proceedings.[30]

A first limitation lies in the fact that some conventions rely heavily on national judicial systems without creating an international criminal mechanism capable of directly prosecuting perpetrators. The Genocide Convention is an important example, as Article VI primarily refers to competent national tribunals and to an international penal tribunal where applicable.[31]

Another limitation is the considerable disparity among States in the criminalization of international crimes and their incorporation into domestic legislation. A State may become party to an international convention without adopting sufficiently precise criminal provisions or granting its courts clear jurisdiction to prosecute the relevant offences. This creates a gap between international obligations and domestic implementation.[32]

International cooperation in extradition and mutual legal assistance is another major constraint. States may refuse extradition for political, security, or sovereignty-related reasons, or may fail to provide documentary evidence, facilitate investigations, or protect witnesses. Such obstacles can substantially delay or even prevent the administration of justice.[33]

The problem of selectivity must also be taken into consideration. International or national mechanisms may become more active in certain cases while similar situations receive less attention because of differences in international political power. Such selectivity can undermine victims' and communities' confidence in international criminal justice.[34]

Nevertheless, these limitations should not diminish the legal importance of international conventions. They have established the foundational legal framework for accountability, including obligations relating to investigation, prosecution, and extradition, and have paved the way for the development of international criminal courts and tribunals. Their effectiveness is therefore relative and cumulative rather than absolute or immediate.[35]

Second Section

The Effectiveness of International Criminal Justice Mechanisms in Combating Impunity

If international conventions established the legal foundation for combating impunity, international criminal tribunals provided that foundation with practical and institutional mechanisms. The experience of the twentieth century demonstrated that legal rules alone are insufficient where there is no judicial body capable of pursuing perpetrators of international crimes, particularly when national courts are unwilling or unable to act or are subject to political influence.[36]

First Subsection: Ad Hoc International Criminal Tribunals and the Experience of International Justice

First Branch: The International Criminal Tribunal for the Former Yugoslavia

The International Criminal Tribunal for the Former Yugoslavia (ICTY) represented a significant milestone in the historical development of the fight against impunity. The Security Council first decided in Resolution 808 (1993) that an international tribunal should be established, and subsequently established the Tribunal through Resolution 827 (1993), adopted on May 25, 1993.[37]

The significance of the Tribunal lies in the revival of the idea of international criminal justice after a

prolonged period of institutional stagnation. It demonstrated that genocide, killing, torture, rape, and other serious violations could not necessarily remain unpunished merely because their perpetrators were political or military leaders.[38]

The Tribunal's jurisdiction extended to natural persons responsible for serious violations falling within its jurisdiction, including persons who planned, instigated, ordered, committed, or otherwise aided and abetted the commission of crimes. Article 7 of the Tribunal's Statute placed individual criminal responsibility at the center of its system.[39]

The Tribunal's subject-matter jurisdiction included grave breaches of the Geneva Conventions, violations of the laws and customs of war, genocide, and crimes against humanity.[40]

The Tribunal also contributed to consolidating the principle that political or military leaders cannot automatically shield themselves through their official positions when they are responsible for international crimes. Article 7(2) of its Statute expressly provided that the official position of an accused person, including as Head of State or Government or responsible government official, did not relieve such person of criminal responsibility or mitigate punishment.[41]

The prosecution of high-ranking figures, including Slobodan Milošević, conveyed an important legal message: the exercise of public authority does not, in itself, provide immunity from responsibility for international crimes.[42]

Nevertheless, the Tribunal's experience was not free from criticism, particularly concerning the length and cost of proceedings and its dependence on the Security Council. Despite these limitations, its legal significance lies in transforming international prosecution from a largely theoretical concept into an operational judicial practice and in contributing to the development of rules concerning evidence, modes of liability, and individual criminal responsibility for international crimes.[43]

Second Branch: The International Criminal Tribunal for Rwanda

The International Criminal Tribunal for Rwanda (ICTR) was established by the United Nations Security Council pursuant to Resolution 955 (1994), adopted on November 8, 1994, following the genocide and other serious violations committed in Rwanda during 1994.[44]

A distinctive feature of the Tribunal was its treatment of crimes committed in the context of a non-international armed conflict and internal violence. This demonstrated that international crimes are not necessarily dependent upon the existence of an international conflict between States. Serious crimes committed within the borders of a single State may nevertheless constitute matters of international concern.[45]

The Tribunal's jurisdiction included genocide, crimes against humanity, and serious violations of Article 3 common to the Geneva Conventions and Additional Protocol II.[46]

Among its most significant contributions was the consolidation of the principle of individual criminal responsibility and the rejection of official status as an automatic defense against liability. The Tribunal also developed important principles concerning responsibility for crimes committed within organized structures and systems of authority.[47]

The Tribunal's judgment in *Prosecutor v. Jean-Paul Akayesu* was particularly significant. On September 2, 1998, the Tribunal found Akayesu guilty of genocide and crimes against humanity, making the judgment an important milestone in the development of international criminal jurisprudence concerning genocide.[48]

The Tribunal nevertheless faced administrative and procedural difficulties and remained institutionally dependent upon the Security Council that established it. Despite these limitations, the ICTR made a substantial contribution to combating impunity by demonstrating that senior political and administrative officials could be held individually responsible for international crimes.[49]

Second Subsection: The Permanent International Criminal Court between Ambition and Constraints

First Branch: The Rome Statute and the Principle of Complementarity

The Rome Statute of 1998 represented a fundamental turning point in the development of international

criminal justice because it established the permanent International Criminal Court (ICC) with jurisdiction over some of the most serious crimes of concern to the international community as a whole.[50]

Combating impunity is central to the philosophy of the Rome Statute. The establishment of the Court reflected the international community's recognition that the most serious crimes must not remain without accountability and that a permanent judicial institution is necessary to complement national systems when they fail to provide genuine justice.[51]

The International Criminal Court is an independent international judicial institution with international legal personality. It is not an organ of the United Nations, although it maintains important forms of cooperation with the United Nations and may receive referrals from the Security Council.[52]

The Court's subject-matter jurisdiction is limited to the most serious crimes, namely genocide, crimes against humanity, war crimes, and the crime of aggression.[53]

One of the most important guarantees against impunity under the Rome Statute is the principle of individual criminal responsibility and the rejection of official capacity as a general defense. Article 27 expressly provides that official capacity as a Head of State or Government or as another public official does not exempt a person from criminal responsibility under the Statute.[54]

The Rome Statute also provides for individual responsibility under Article 25 and regulates responsibility for military commanders and other superiors under Article 28.[55]

The Rome Statute does not abolish the role of national courts. Rather, it is based on the principle of complementarity. Under Article 17, a case may be inadmissible before the Court where it is being genuinely investigated or prosecuted by a State with jurisdiction, unless that State is unwilling or unable genuinely to carry out the investigation or prosecution.[56]

The effectiveness of the Court also has a symbolic and preventive dimension. The existence of a permanent institution capable of conducting investigations and issuing arrest warrants may send a message to political and military leaders that international crimes cannot be guaranteed impunity. Nevertheless, deterrence is insufficient unless supported by effective cooperation in arresting suspects, securing evidence, and enforcing judicial decisions.[57]

Second Branch: Limitations Affecting the Effectiveness of the International Criminal Court

Despite the great importance of the International Criminal Court, its practical effectiveness faces numerous challenges. One of the most significant is that the Court does not possess its own independent executive enforcement apparatus. It therefore depends heavily on States for the arrest and surrender of suspects, the collection of evidence, and other forms of cooperation.[58]

The Court's jurisdiction is also limited by the provisions of the Rome Statute and by temporal, territorial, and personal jurisdictional conditions. Articles 12 and 13 establish important conditions concerning the exercise of the Court's jurisdiction.[59]

The role of the Security Council creates a complex situation. On the one hand, the Council may refer situations to the Court under Article 13(b), thereby expanding the potential scope of accountability. On the other hand, Article 16 permits the Security Council, acting under Chapter VII of the UN Charter, to request a deferral of an investigation or prosecution for a renewable period of twelve months.[60]

The Court has also faced criticism relating to selectivity, the length of proceedings, and the financial costs associated with international criminal litigation. These concerns demonstrate the need for continuous institutional improvement. The effectiveness of the Court cannot be measured solely by the issuance of arrest warrants or the opening of investigations; it must also be assessed in terms of its ability to complete fair trials within a reasonable time while safeguarding the rights of both victims and accused persons.[61]

From the perspective of victims, participation and reparation are also important dimensions of effectiveness. Article 68 of the Rome Statute provides for the protection and participation of victims and witnesses, while Article 75 establishes principles relating to reparations for victims.[62]

Accordingly, evaluating the effectiveness of the International Criminal Court requires a balanced approach. The Court is not a perfect mechanism and cannot, by itself, eliminate impunity. Nevertheless, it represents significant institutional progress in international criminal law. Its effectiveness remains

dependent on State cooperation, prosecutorial independence, the strengthening of domestic legislation and judicial institutions, and the reduction of undue political influence over international criminal proceedings.[63]

Conclusion

The foregoing analysis demonstrates that international criminal justice mechanisms have made a significant contribution to limiting impunity through the establishment of conventional obligations, the development of universal criminal jurisdiction, and the creation of ad hoc and permanent international criminal tribunals.[64]

The study has demonstrated that international conventions have established important obligations relating to investigation, prosecution, punishment, and extradition. However, these obligations require effective judicial institutions and appropriate domestic legislation capable of translating international commitments into practice.[65]

The ad hoc international criminal tribunals for the former Yugoslavia and Rwanda represented significant judicial experiences. They contributed to consolidating individual criminal responsibility and limiting reliance on official status as a means of avoiding accountability.[66]

The establishment of the permanent International Criminal Court constituted one of the most important institutional developments in the fight against impunity. The Rome Statute provided a permanent framework for accountability for the most serious international crimes and reinforced principles such as individual criminal responsibility, the irrelevance of official capacity, and complementarity.[67]

Ultimately, combating impunity requires a complementary system in which international institutions and national jurisdictions work together. International criminal justice cannot achieve its objectives through judicial mechanisms alone; it also requires effective domestic legislation, independent national courts, genuine international cooperation, adequate protection for victims and witnesses, and sustained commitment to the rule of law.[68]

Results

1. Combating impunity is not merely a moral demand but has become a legal obligation grounded in international conventions, customary international law, and fundamental principles of international criminal law.[69]
2. The Geneva Conventions of 1949 established important foundations for international criminal accountability, particularly through obligations relating to the prosecution and punishment of grave breaches.[70]
3. International human rights conventions, particularly those concerning genocide, torture, and enforced disappearance, have expanded the scope of international criminal protection and linked serious violations of human dignity to obligations of criminalization and prosecution.[71]
4. The ad hoc international criminal tribunals demonstrated the practical possibility of prosecuting political and military leaders for international crimes while reinforcing the principle of individual criminal responsibility and limiting reliance on official status.[72]
5. The International Criminal Court represents a fundamental permanent mechanism for combating impunity; however, its effectiveness cannot be guaranteed by its institutional existence alone, as it remains substantially dependent upon State cooperation and the genuine implementation of the principle of complementarity within national judicial systems.[73]

Recommendations

1. **Align domestic legislation with international conventions and the Rome Statute**, ensuring that international obligations are translated into clear and enforceable domestic criminal provisions.[74]
2. **Strengthen universal criminal jurisdiction in domestic legislation**, while establishing appropriate legal safeguards to prevent its politically motivated or arbitrary use.
3. **Strengthen international judicial cooperation** in the areas of extradition and surrender,

evidence-sharing, mutual legal assistance, and the protection of witnesses and victims.[75]

4. **Strengthen the institutional, financial, and administrative independence of the International Criminal Court** and reduce the impact of political considerations on referrals, investigations, and requests for deferral.
5. **Enhance the position of victims within international criminal justice proceedings** by facilitating their meaningful participation and strengthening mechanisms for reparation and compensation.[76]
6. **Promote a culture of accountability and non-impunity** within universities, judicial institutions, law-enforcement agencies, and security institutions, because preventing international crimes begins with strengthening legal and human-rights awareness before violations occur.

Footnotes

1. Rome Statute of the International Criminal Court, July 17, 1998, Preamble.
2. Antonio Cassese, *International Criminal Law*, 2nd ed. (Oxford: Oxford University Press, 2008).
3. William A. Schabas, *An Introduction to the International Criminal Court*, 5th ed. (Cambridge: Cambridge University Press, 2017).
4. Rome Statute, arts. 25, 27.
5. Cassese, *International Criminal Law*.
6. Robert Cryer, Håkan Friman, Darryl Robinson, and Elizabeth Wilmshurst, *An Introduction to International Criminal Law and Procedure*, 3rd ed. (Cambridge: Cambridge University Press, 2019).
7. Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, August 12, 1949, art. 49.
8. Ibid.
9. Ibid.; Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, August 12, 1949, art. 50; Geneva Convention (III) relative to the Treatment of Prisoners of War, August 12, 1949, art. 129; Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, August 12, 1949, art. 146.
10. Geneva Convention (I), art. 49.
11. Antonio Cassese, *International Criminal Law*, 2nd ed. (Oxford: Oxford University Press, 2008).
12. International Committee of the Red Cross, *Commentary on the First Geneva Convention* (Cambridge: Cambridge University Press, 2016), commentary on art. 49.
13. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), June 8, 1977, art. 85.
14. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), June 8, 1977; Rome Statute, art. 8.
15. Cryer et al., *An Introduction to International Criminal Law and Procedure*.
16. Convention on the Prevention and Punishment of the Crime of Genocide, December 9, 1948; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, December 10, 1984; International Convention for the Protection of All Persons from Enforced Disappearance, December 20, 2006.
17. Convention on the Prevention and Punishment of the Crime of Genocide, arts. I, III–V.
18. Ibid., art. VI.
19. Ibid.
20. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, December 10, 1984, arts. 5–7.

21. Ibid., arts. 12–13.
22. International Convention for the Protection of All Persons from Enforced Disappearance, December 20, 2006, arts. 4 and 6.
23. Ibid., arts. 26–30.
24. Cryer et al., *An Introduction to International Criminal Law and Procedure*.
25. Cassese, *International Criminal Law*.
26. Ibid.
27. Geneva Convention (I), art. 49.
28. Cryer et al., *An Introduction to International Criminal Law and Procedure*.
29. Ibid.
30. Ibid.
31. Convention on the Prevention and Punishment of the Crime of Genocide, art. VI.
32. Cryer et al., *An Introduction to International Criminal Law and Procedure*.
33. Rome Statute, arts. 86–89.
34. Schabas, *An Introduction to the International Criminal Court*.
35. Cryer et al., *An Introduction to International Criminal Law and Procedure*.
36. Cassese, *International Criminal Law*.
37. United Nations Security Council, Resolution 808 (1993), S/RES/808, February 22, 1993; United Nations Security Council, Resolution 827 (1993), S/RES/827, May 25, 1993.
38. Statute of the International Tribunal for the Former Yugoslavia, arts. 2–5.
39. Ibid., art. 7(1).
40. Ibid., arts. 2–5.
41. Ibid., art. 7(2).
42. *Prosecutor v. Slobodan Milošević*, International Criminal Tribunal for the Former Yugoslavia, IT-99-37.
43. Cassese, *International Criminal Law*.
44. United Nations Security Council, Resolution 955 (1994), S/RES/955, November 8, 1994.
45. Statute of the International Criminal Tribunal for Rwanda, arts. 2–4.
46. Ibid., art. 4.
47. Ibid., arts. 6–7.
48. *Prosecutor v. Jean-Paul Akayesu*, Case No. ICTR-96-4-T, Judgment, September 2, 1998.
49. United Nations Security Council, Resolution 955 (1994); Statute of the International Criminal Tribunal for Rwanda.
50. Rome Statute, arts. 1 and 5.
51. Ibid., Preamble.
52. Ibid., art. 4; see also United Nations–International Criminal Court cooperation framework.
53. Rome Statute, art. 5.
54. Ibid., art. 27.
55. Ibid., arts. 25 and 28.
56. Ibid., art. 17.
57. Ibid., arts. 58, 86–89.

58. Ibid., arts. 86–89.
59. Ibid., arts. 12–13.
60. Ibid., arts. 13(b) and 16.
61. William A. Schabas, *The International Criminal Court: A Commentary on the Rome Statute*, 2nd ed. (Oxford: Oxford University Press, 2016).
62. Rome Statute, arts. 68 and 75.
63. Schabas, *The International Criminal Court: A Commentary on the Rome Statute*.
64. Cryer et al., *An Introduction to International Criminal Law and Procedure*.
65. Geneva Convention (I), art. 49; Genocide Convention, arts. V–VI; Convention against Torture, arts. 5–7.
66. ICTY Statute, art. 7; ICTR Statute, art. 6.
67. Rome Statute, arts. 25, 27, and 17.
68. Cryer et al., *An Introduction to International Criminal Law and Procedure*.
69. Rome Statute, Preamble; Genocide Convention, art. I.
70. Geneva Convention (I), art. 49; Geneva Convention (III), art. 129; Geneva Convention (IV), art. 146.
71. Genocide Convention, arts. I–VI; Convention against Torture, arts. 4–7; Convention on Enforced Disappearance, arts. 4–7.
72. ICTY Statute, art. 7; ICTR Statute, art. 6.
73. Rome Statute, arts. 1, 17, and 86–89.
74. Rome Statute, art. 88.
75. Ibid., arts. 86–89.
76. Ibid., arts. 68 and 75.

Bibliography

I. Books

- Cassese, Antonio. *International Criminal Law*. 2nd ed. Oxford: Oxford University Press, 2008.
- Cryer, Robert, Håkan Friman, Darryl Robinson, and Elizabeth Wilmshurst. *An Introduction to International Criminal Law and Procedure*. 3rd ed. Cambridge: Cambridge University Press, 2019.
- Schabas, William A. *An Introduction to the International Criminal Court*. 5th ed. Cambridge: Cambridge University Press, 2017.
- Schabas, William A. *The International Criminal Court: A Commentary on the Rome Statute*. 2nd ed. Oxford: Oxford University Press, 2016.

II. International Treaties and Conventions

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. December 10, 1984.
- Convention on the Prevention and Punishment of the Crime of Genocide. December 9, 1948.
- Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. August 12, 1949.
- Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea. August 12, 1949.
- Geneva Convention (III) relative to the Treatment of Prisoners of War. August 12, 1949.
- Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War. August 12, 1949.

International Convention for the Protection of All Persons from Enforced Disappearance. December 20, 2006.

Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I). June 8, 1977.

Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). June 8, 1977.

Rome Statute of the International Criminal Court. July 17, 1998.

III. International Judicial and Institutional Documents

International Criminal Tribunal for the Former Yugoslavia. *Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991*. Adopted pursuant to United Nations Security Council Resolution 827 (1993), May 25, 1993.

International Criminal Tribunal for Rwanda. *Statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda*. Adopted pursuant to United Nations Security Council Resolution 955 (1994), November 8, 1994.

International Criminal Tribunal for the Former Yugoslavia. *Prosecutor v. Slobodan Milošević*. Case No. IT-99-37.

International Criminal Tribunal for Rwanda. *Prosecutor v. Jean-Paul Akayesu*. Case No. ICTR-96-4-T. Judgment, September 2, 1998.

United Nations Security Council. Resolution 808 (1993). S/RES/808. February 22, 1993.

United Nations Security Council. Resolution 827 (1993). S/RES/827. May 25, 1993.

United Nations Security Council. Resolution 955 (1994). S/RES/955. November 8, 1994.

IV. Institutional Sources

International Committee of the Red Cross. *Commentary on the First Geneva Convention*. Cambridge: Cambridge University Press, 2016.

United Nations and International Criminal Court. *Cooperation Framework between the United Nations and the International Criminal Court*.