



ICC - INTERNATIONAL RELATIONS

News: ICC seeking arrest warrants for Hamas leaders and Israel's Netanyahu

What's in the news?

- ICC Prosecutor Karim Khan said that there were reasonable grounds to believe that Hamas's Yahya Sinwar, Mohammed Diab Ibrahim Al-Masri (Deif) and Ismail Haniyeh "bear criminal responsibility" for murder, extermination and taking hostages – among numerous other crimes – since the Gaza conflict erupted in the wake of Hamas-led attacks in southern Israel on 7 October.
- There are also reasonable grounds to believe that Prime Minister of Israel Benjamin Netanyahu and Yoav Gallant, Israeli Minister of Defence, are responsible for other crimes and crimes against humanity "committed on the territory of the State of Palestine".

International Criminal Court (ICC):

- It is the **only permanent international criminal tribunal**.
- It was created by the **1998 Rome Statute** of the International Criminal Court (its founding and governing document), and began functioning on 1 July 2002 when the Statute came into force.

Mandate:

- It investigates and, where warranted, tries individuals charged with the gravest crimes of concern to the international community - **genocide, war crimes, crimes against humanity, and the crime of aggression**.

Headquarters: Hague, Netherlands.

Members:

- **123 nations** are States Parties to the Rome Statute and recognize the ICC's authority.
- **The US, China, Russia and India were some of the exceptions in the member list.**

Funding:

- The Court is funded by contributions from the States Parties and by voluntary contributions from Governments, international organizations, individuals, corporations, and other entities.

Composition:

- The court has **eighteen judges**, each from a different member country, elected to **non-renewable nine-year terms**.

Jurisdiction of ICC:

- Unlike the International Court of Justice, which hears disputes between states, the ICC handles **prosecutions of individuals**.



- The ICC is only competent to hear a case if:
 - The country where the offence was committed is a party to the Rome Statute.
 - the perpetrator's country of origin is a party to the Rome Statute
- The ICC may **only exercise its jurisdiction** if the national court is unable or unwilling to do so.
- The ICC only has jurisdiction over offences committed after the Statute's entry into force on 1 July 2002.

Relation with UN:

- While not a United Nations organization, the Court has a **cooperation agreement with the United Nations**.
- When a situation is not within the Court's jurisdiction, the United Nations Security Council can refer the situation to the ICC, granting it jurisdiction.

Difference between ICC and ICJ:

	International Court of Justice (ICJ) La Cour Internationale de Justice (CIJ)	International Criminal Court (ICC) La Cour pénale internationale (CPI)
Year Court Established	1946	2002
UN-Relationship	Official court of the U.N., commonly referred to as the "World Court."	Independent. May receive case referrals from the UN Security Council.
Location	The Hague, The Netherlands	The Hague, The Netherlands
Types of Cases	Contentious between parties & Advisory opinions	Criminal prosecution of individuals
Subject Matter	Sovereignty, boundary, & maritime disputes, trade, natural resources, human rights, treaty violations, treaty interpretation, and more.	Genocide, crimes against humanity, war crimes, crimes of aggression
Funding	UN-funded.	Assessed contribution from state parties to the Rome Statute; voluntary contributions from the U.N.; voluntary contributions from governments, international organizations, individuals, corporations and other entities.