

04– 10 – 2023

News: Armenia's Parliament votes to join ICC, straining ties with ally Russia

- Armenia's Parliament voted on Tuesday to join the International Criminal Court, a move that further strains the country's ties with its old ally Russia after the court issued an arrest warrant for President Vladimir Putin over events in Ukraine.
- Countries that have signed and ratified the Rome Statute that created the ICC are bound to arrest Mr. Putin, who was indicted for war crimes connected to the deportation of children from Ukraine, if he sets foot on their soil.
- Armenia later sought to assure Russia that Mr. Putin would not be arrested if he entered the country.

International Criminal Court (ICC)

- International Criminal Court (ICC) is an intergovernmental organisation and international tribunal that sits in Hague, Netherlands to prosecute individuals for the international crimes of genocide, crimes against humanity, war crimes and crime of aggression.
- ICC began operations on 1st July 2002, upon the entry into force of the Rome Statue, a multilateral treaty that serves as the court's foundational and governing document.

- Since it **has no retroactive jurisdiction**, the **ICC deals with crimes committed on or after this date**.
- Rome statute was adopted on 17th July, 1998. As a commemoration of the adoption of Rome Statute, **17th July every year is celebrated as World Day for International Justice or Day of International Criminal Justice or International Justice Day**.
- **States which become party to Rome statute become members of ICC**.
- As of 2019 November, there are 123 ICC member states, 42 states including **India, China, Russia, Ukraine and US have neither signed nor become parties of Rome Statute**.
- Recently, the **Parliament of Armenia has voted to join ICC**, which is supposed to irk its traditional ally, Russia, the president of whom, Vladimir Putin has been issued an arrest warrant by the court.
- Each state party has one vote and “every effort” has to be made to reach decisions by consensus. If consensus cannot be reached, decisions are made by vote.
- The ICC is the **first and only permanent international court with jurisdiction to prosecute individuals for the international crimes of genocide, crimes against humanity, war crimes, and the crime of aggression**.
- The Assembly is presided over by a president and two vice-presidents, who are elected by the members to three-year terms.

- It does **not have the capacity to arrest suspects** and depends on member states for their cooperation.
- ICC judgments are **binding, final and cannot be appealed**.
- **Recruiting Child Soldiers is considered a war crime under the Rome Statute**.
- The Rome Statute, grants the ICC jurisdiction over four main crimes: The crime of Genocide, Crimes against Humanity, War crimes and Crime of Aggression.
- The ICC was **established to prosecute the most heinous offenses only when a country's own legal machinery fails to act**. Unlike the **International Court of Justice (ICJ)**, which deals with countries and inter-state disputes, the **ICC prosecutes individuals**.
- Recently, ICC has issued an arrest warrant to Russian President Vladimir Putin for the war crimes of deporting and transferring children unlawfully from the war ridden Ukraine occupied by Russia.

ICC and its jurisdiction in Russia

- As of March 2023, **Russia is not a party to the Rome Statute, and therefore, the ICC has no jurisdiction over crimes committed on its territory**.
- However, the **ICC can investigate and prosecute crimes committed by individuals from other countries who committed the alleged crimes on the territory of a state party to the Rome Statute**.

- Ukraine is also not a State Party to the Rome Statute, but it has twice exercised its options to accept ICC's jurisdiction over alleged crimes under the Rome Statute, occurring on its territory, under Article 12(3) of the Statute.
- Article 12(3) states that if the acceptance of a state that is not a party to the statute, the state may accept the jurisdiction of the court for a crime concerned, by making a declaration to the Registrar and cooperating without any delay or exception.